

# **Evolytes**

## **Privacy Policy**

### **Introduction**

This privacy policy (together with our end-user licence agreement as set out here [LINK TO EULA] (the “**EULA**”) and any additional terms of use incorporated by reference into the EULA (together our “**Terms of Use**”) applies to your use of:

- The Evolytes software solution (“**App**”) available on our site (“**App Site**”), once you have downloaded a copy of the App onto your mobile telephone or handheld device (the “**Device**”).
- Any of the services accessible through the App (the “**Services**”) that are available on the App Site or other sites of ours (“**Services Sites**”). This policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

### **Important information and who we are**

Namsflaedi ehf., Reg. No. 600617-1250, Asendi 7, 108 Reykjavik, Iceland is the controller and is responsible for your personal data.

If you have any questions about this privacy policy, please contact us using the details set out below.

### **Contact details**

Our full details are:

- Full name of legal entity: Namsflaedi ehf.
- Email address: [evolytes@evolytes.com](mailto:evolytes@evolytes.com)
- Postal address: Asendi 7, 108 Reykjavik, Iceland

You have the right to make a complaint at any time to the The Icelandic Data Protection Authority (**Personuvernd**), the Icelandic supervisory authority for data protection issues or other competent supervisory authority of an EU member state if the App is downloaded outside of Iceland.

### **Changes to the privacy policy and your duty to inform us of changes**

We keep our privacy policy under regular review.

It may change and if it does, these changes will be posted on this page and, where appropriate, notified to you by email and when you next start the App or log onto one of the Services Sites. The new policy may be displayed on-screen and you may be required to read and accept the changes to continue your use of the App or the Services.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during our relationship with you.

## The data we collect about you

We may collect, use, store and transfer different kinds of personal data about you as follows:

- Identity Data
- Contact Data
- Financial Data
- Transaction Data
- Device Data
- Content Data
- Profile Data
- Usage Data
- Marketing and Communications Data

We explain these categories of data below in the *Glossary*.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific App feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

## How is your personal data collected?

We will collect and process the following data about you:

- **Information you give us.** This is information (including Identity, Contact, Financial, and Marketing and Communications Data) you consent to giving us about you and/or the student using the App by filling in forms on the App Site and the Services Sites (together **Our Sites**), or by corresponding with us (for example, by email or chat). It includes information you provide when you register to use the App Site, download or register an App, subscribe to any of our Services, search for an App or Service, and when you report a problem with an App, our Services, or any of Our Sites. If you contact us, we will keep a record of that correspondence.
- **Information we collect about you and your device.** Each time you visit one of Our Service Sites or use one of our Apps we will automatically collect personal data including Device, Content and Usage Data. We collect this data using cookies and other similar technologies.

## How we use your personal data

We will only use your personal data when the law allows us to do so. Most commonly we will use your personal data in the following circumstances:

- Where you have consented before the processing.
- Where we need to perform a contract we are about to enter or have entered with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

See the *Glossary* to find out more about the types of lawful basis that we will rely on to process your personal data.

We will only send you direct marketing communications by email or text if we have your consent. You have the right to withdraw that consent at any time by contacting us.

## Purposes for which we will use your personal data

| Purpose/activity   | Type of data  | Lawful basis for processing   |
|--|---|---|
| To install the App and register you as a new App user  | Identity<br>Contact<br>Financial<br>Device  | Performance of a contract with you  |
| To process in-App purchases and deliver Services including managing payments and collecting money owed to us | Identity<br>Contact<br>Financial<br>Transaction<br>Device<br>Marketing and Communications | Performance of a contract with you<br><br>Necessary for our legitimate interests (to recover debts due to us)   |
| To manage our relationship with you including notifying you of changes to the App or any Services            | Identity<br>Contact<br>Financial<br>Profile<br>Marketing and Communications               | Performance of a contract with you<br><br>Necessary for our legitimate interests (to keep records updated and to analyse how customers use our products/ Services)<br><br>Necessary to comply with legal obligations (to inform you of any changes) |

|  |   |  |
|--|---|--|
|  |   | to our terms and conditions)   |
| To administer and protect our business and this App including troubleshooting, data analysis and system testing  | Identity<br>Contact<br>Device   | Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security) |
| To deliver content and advertisements to you<br>To make recommendations to you about goods or services which may interest you<br>To measure and analyse the effectiveness of the advertising we serve you<br>To monitor trends so we can improve the App | Identity<br>Contact<br>Device<br>Content<br>Profile<br>Usage<br>Marketing and<br>Communications | Consent<br>Necessary for our legitimate interests (to develop our products/Services and grow our business)                       |

### Disclosures of your personal data

We may share your personal data with the third parties set out below for the purposes set out in the table *Purposes for which we will use your personal data*:

- Internal Third Parties as set out in the *Glossary*.
- External Third Parties as set out in the *Glossary*.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

### International transfers

We do not transfer your personal data outside the European Economic Area (EEA).

### Data security

All information you provide to us is stored on our secure servers. Any payment transactions will be encrypted using Secured Sockets Layer technology. Where we have given you (or where you have chosen) a password that enables you to access certain parts of Our Sites, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Once we have received your information, we will use strict procedures and security features to try to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator when we are legally required to do so.

### **Data retention**

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request by contacting us.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for seven years after they cease being customers.

In some circumstances you can ask us to delete your data: see *Your legal rights* below for further information.

In some circumstances we will fully anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

### **Your legal rights**

Under certain circumstances you have the following rights under data protection laws in relation to your personal data.

Please click see the *Glossary below* to find out more about these rights:

- *Request access to your personal data.*
- *Request correction of your personal data.*
- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
- *Request restriction of processing your personal data.*
- *Request transfer of your personal data.*
- *Right to withdraw consent.*

You also have the right to ask us not to continue to process your personal data for marketing purposes.

You can exercise any of these rights at any time by contacting us at [evolytes@evolytes.com](mailto:evolytes@evolytes.com).

### **Special protection for children under 13 years of age**

We recognize that our Services are tailored for children and we need to provide further privacy protections to personal information we collect from children under 13 years of age using our Services.

In those cases where we rely on consent for the processing personal information of a child under 13 years of age, we will require that this consent is given or authorized by the holder of parental responsibility of the child.

## Glossary

### Lawful basis

**Consent** means processing your personal data where you have signified your agreement by a statement or clear opt-in to processing for a specific purpose. Consent will only be valid if it is a freely given, specific, informed and unambiguous indication of what you want. You can withdraw your consent at any time by contacting us.

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

### Third parties

#### External third parties.

Service providers acting as processors based in the EEA who provide IT and system administration services.

Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in Iceland and France who provide consultancy, banking, legal, insurance and accounting services.

### Your legal rights

You have the right to:

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
  - (a) if you want us to establish the data's accuracy;
  - (b) where our use of the data is unlawful but you do not want us to erase it;
  - (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or
  - (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

### **Description of categories of personal data**

- **Identity Data:** first name, last name, username or similar identifier, title, date of birth, gender.
- **Contact Data:** billing address, delivery address, email address and telephone numbers.
- **Financial Data:** bank account and payment card details.
- **Transaction Data:** includes details about payments to and from you and details of in-App purchases.

- **Device Data:** includes the type of mobile device you use, a unique device identifier (for example, your Device's IMEI number, the MAC address of the Device's wireless network interface, or the mobile phone number used by the Device), mobile network information, your mobile operating system, the type of mobile browser you use, time zone setting.
- **Content Data:** includes information stored on your Device, including, login information.
- **Profile Data:** includes your username and password, in-App purchase history and preferences.
- **Usage Data:** includes details of your use of any of our Apps or your visits to any of Our Sites including, but not limited to, traffic data and other communication data, whether this is required for our own billing purposes or otherwise and the resources that you access.
- **Marketing and Communications Data:** includes your preferences in receiving marketing from us and your communication preferences.