

PRESONATE ZRT. PRIVACY POLICY

This Privacy Policy („**Privacy Policy**”) informs the data subject in accordance with Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council (“**GDPR**”) regarding personal data processed in the course of the data processing activities set out below.

1 The data controller

The name of the data controller: **Presonate Zártkörűen Működő Részvénytársaság** (‘**Data Controller**’)

Seat: H-1025 Budapest, Csévi u. 7. B. ép.

Postal address: H-1025 Budapest, Csévi u. 7. B. ép.

Registry no.: 01-10-140392

E-mail address: hello@presonate.design

2 Processing the personal data of the Data Subject

2.1. The service of the Data Controller:

The Data Controller processes the data of the legal entity Partner's („**Partner**”) contact persons’ in order to conclude and fulfil the existing agreements with the Partners.

2.2. The Data Subjects:

The person who establishes a relationship with the Data Controller on behalf of the Partner in order to conclude and perform the contracts and agreements.

2.3. The aim of the data processing:

Liaising with Partners to enter into and perform existing agreements.

2.4. The method of collecting the data

The data is transmitted to the Data Controller on paper, online or by telephone by the Partner or a natural person acting on behalf of the Partner. In the case of paper-based data collection, the Data Controller records and stores the data in electronic form in order to achieve the aim of data processing.

2.5. The Data processed:

First and last name, e-mail address, telephone number

The Data Controller is not responsible for the correctness of the processed data, it is the obligation of the Partner or the natural person acting on its behalf to provide the data accurately and correctly. If the data subject's data changes during the data processing or they need to be corrected due to any mistake, the data subject is entitled to rectification.

2.6. The duration of the data processing:

Until the existence of the agreement.

2.7. Lawfulness of processing:

Legitimate interest.

The Data Controller receives and handles personal data for its own and the Partner's legitimate interests, during which the enforcement of the Partner's and the Data Controller's legitimate interests takes precedence over the natural person's right to its personal data as the natural person is the employee of the Partner.

2.8. Access to the data:

The managing directors of the Data Controller, the project manager involved.

2.9. Transferring personal data:

Data Processors

Data Processor	Seat	Task
Wix.com Ltd.	40 Namal Tel Aviv St., Tel Aviv, Israel	web hosting, crm, email communication
Google Ireland Limited	Gordon House, Barrow Street, Dublin 4, Ireland	data storage
Zoho Corporation	4141 Hacienda Drive, Pleasanton, California 94588	data storage, newsletter, communication
The Rocket Science Group LLC (Mailchimp)	675 Ponce De Leon Ave NE, Suite 5000, Atlanta, Georgia 30308	data storage and newsletter

The Data Controller transfers personal data to a third country, i.e. a country outside the European Union, to the United States of America on the basis of an adequacy decision.

2.10. Automated individual decision-making, including profiling

The Data Controller does not use automated individual decision-making, including profiling.

3 The rights of the Data Subject

3.1. Right of access by the data subject

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- a. the purposes of the processing;
- b. the categories of personal data concerned;
- c. the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f. the right to lodge a complaint with a supervisory authority;
- g. where the personal data are not collected from the data subject, any available information as to their source;
- h. the existence of automated decision-making, including profiling.

Where the Data Subject makes the request by electronic means, and unless otherwise requested by the Data Subject, the information shall be provided in a commonly used electronic form.

The Data Controller may request the Data Subject to specify the content of the request and to specify the requested information or data management activities prior to completing the request.

If the Data Subject's right of access under this section adversely affects the rights and freedoms of others, in particular the business secrets or intellectual property of others, the Data Controller shall have the right to deny the Data Subject's request to the extent necessary.

The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs.

The Data Controller shall inform the Data Subject in writing if the Data Controller does not process the personal data of the Data Subject.

3.2. Right to rectification

The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall

have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

3.3. Right to erasure ('right to be forgotten')

The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- (b) the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
- (c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
- (d) the personal data have been unlawfully processed;
- (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

Where the controller has made the personal data public and is obliged to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

The Data Controller is not obliged to erase the personal data to the extent that processing is necessary:

- (a) for exercising the right of freedom of expression and information;
- (b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (c) for reasons of public interest in the area of public health;
- (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as exercising the right to be forgotten is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- (e) for the establishment, exercise or defence of legal claims.

3.4. Right to restriction of processing

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- (a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- (d) the data subject has objected to processing of the personal data based on legitimate interest pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence 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 Union or of a Member State.

A data subject who has obtained restriction of processing pursuant to paragraph 1 shall be informed by the controller before the restriction of processing is lifted.

3.5. Right to object

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her, including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

3.6. Right to data portability

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- a) the processing is based on consent or on a contract; and
- b) the processing is carried out by automated means.

In exercising his or her right to data portability, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible

3.7. Remedies

3.7.1. Right to lodge a complaint before the Data Controller

If the Data Subject thinks that his or her rights according to the GDPR have been infringed, the Data Subjects may contact the Data Controller and lodge a complaint. The Data Controller investigates every complaint and informs the Data Subject of its findings.

3.7.2. Right to an effective judicial remedy

Without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority, each data subject shall have the right to an effective judicial remedy where he or she considers that his or her rights under the GDPR have been infringed.

Judicial remedy against the Data Controller is available before Hungarian courts as the Data Controller is a company seated in Hungary.

As the Data Controller is not a public authority of a Member State acting in the exercise of its public powers, the Data Subject may alternatively, bring the proceedings before the courts of the Member State where the data subject has his or her habitual residence.

3.7.3. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, every data subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes this Regulation.

Hungarian National Authority for Data Protection and Freedom of Information:
Address: H-1055 Budapest, Falk Miksa utca 9-11.
Telephone: +36 -1-391-1400
Fax: +36-1-391-1410
E-mail: privacy@naih.hu

3.7.4. Alternative remedies

The data subject shall have the right to mandate a not-for-profit body, organisation or association which has been properly constituted in accordance with the law of a Member State, has statutory objectives which are in the public interest, and is active in the field of the protection of data subjects' rights and freedoms with regard to the protection of their personal data to lodge the complaint on his or her behalf.

4 Final provisions

In the event that the Data Controller suspects that the identity of the claimant is not valid, the Data Controller may ask for certification of the data subjects' identity.

The present privacy policy may be amended at any times by the Data Controller. The Data Controller informs the Data Subjects on the website of the project at least 3 days before the amendment coming into force.

Budapest, 21.12.2020.