

Privacy Policy — Germany

This policy was last updated on August 30, 2016.

Overview

Pwinty Ltd. expects its employees, including those of its subsidiaries worldwide and third parties with whom Pwinty does business, to maintain the highest standards of ethics and compliance with applicable laws and rules. Pwinty is committed to the highest standards of privacy and data protection compliance and expects all its employees and management to adhere to these standards.

Pwinty operates an online API platform that enables merchants and vendors to send and receive orders for goods and services (“Merchants”). Our services comprise all software and services that we offer, including services that we offer through our website when you register for a Pwinty merchant account (collectively referred to as the “Services”).

We understand that privacy is important to our online visitors and users. We respect your privacy and will take all reasonable steps to safeguard and protect your information as if it was our own.

This Privacy Policy will help you understand what Personal Data Pwinty collects; how it collects, holds, uses and discloses that information; and the purposes of collection and disclosure.

Personal Data

The term “Personal Data”, as used in this Policy, refers to any data (whether by itself or when linked with other information in the possession of, or likely to come into the possession of, Pwinty) that can be used to identify a specific living person. Personal Data does not include information that has been aggregated or made anonymous such that it can no longer be reasonably associated with a specific person.

This Privacy Policy will help you understand the following:

- What does this Privacy Policy apply to?
- Collection and Use of your Personal Data
- Cookies and Web Server Logs
- Sharing and Disclosure of your Personal Data
- Retention of your Personal Data
- Protection of Personal Data
- Changes to this Policy
- Access, Correction and Complaints – Contact Us

Please also review, if applicable, your agreement with Pwinty, including our Terms of Service that shall govern in the event of any inconsistency with this Privacy Policy.

What does this Privacy Policy apply to?

This Policy applies to the pwinty.com website, including all subpages and successor pages (collectively referred to as the “Website”), and also applies to all Services that we offer.

This Policy does not apply to any website, product or service of any third-party company even if the website links to (or from) our Website. Please always review the privacy practices of any third-party company before deciding whether to provide any information.

By using our Website or Services, you are accepting the practices described in this Policy. If you do not agree with this Policy, please delete all cookies from your browser cache after visiting our Website and do not visit or use our Website or Services. Your continued use of our Website or Services will signify your acceptance of this Policy.

Collection and Use of your Personal Data

We collect Personal Data from our Merchants and our Merchant’s customers (“Ordering Users”) in order to enable us to provide our Services.

Broadly speaking, we collect information in three ways: (1) when you provide it directly to us, (2) when we obtain verification information about you or your company through trusted third parties (e.g. banks, credit bureaus), and (3) passively through technology such as “cookies” (cookie collection is described below in Section 3 (“Cookies and Web Server Logs”).

The types of Personal Data that we collect and our use of that Personal Data will depend on whether you are a Checkout User or Merchant.

Ordering Users

Pwinty APIs enable Merchants to pass information from Ordering Users for placing an order. When you use a Merchant’s application or website to make a purchase, the Merchant will collect your Personal Data and provide it to us. This Personal Data includes your name, your email address, your mobile phone number, and shipping address, or - in the event of an order for retail pickup - the store details. We will use this Personal Data as part of the order processing process. When you use Pwinty APIs on a Merchant’s website to place your order, we will use the Personal Data disclosed to us by the Merchant to complete purchases that you choose to make. Ordering Users can view our Privacy Policy via a hyperlink.

This Personal Data described above will be shared and disclosed only as described below in Section 4 (“Sharing and Disclosure of Personal Data”).

Merchants

To gain full access to our Website and Services, you must register for a Pwinty account. When you register for an account, we collect the Personal Data you provide, such as the following:

- Your name, company name, location, email address, phone number, and account password, to set up your account
- Your business and personal tax, or other government-issued identification numbers, as well as your date of birth, to verify your identity for underwriting purposes
- Your bank account information, to settle funds for your transactions
- Your IP addresses, devices, and locations used to access Pwinty, which will be linked to your account for fraud detection/prevention purposes

If you elect to not provide Personal Data in optional fields it may limit your ability to use our Services. We may retrieve additional Personal Data about you from third parties and other identification/verification services such as payment providers and credit bureaus. In addition, we may collect Personal Data from you in other ways including emails, surveys, and other forms of communication. Once you begin using our Services through your Pwinty account, we will keep records of your transactions and collect information of your other activities related to our Services.

This Personal Data described above will be shared and disclosed only as described below in Section 4 (“Sharing and Disclosure of Personal Data”).

Website Visitors

To simply browse our Website, you are not required to provide any Personal Data. However, we may gather non-personally-identifiable information, as described directly above, solely for the purposes of monitoring and improving our Website and Services. We will not share this information with third parties or use it to target any advertisements to you.

Our Website and Services are directed to the general public. We do not knowingly collect information from children under 15 years of age or have any reasonable grounds for believing that children under the age of 15 are accessing our Website or using our Services. If we learn that we have inadvertently collected Personal Data from a child under age 15, we will delete that information as quickly as possible. If you believe that we might have any information from a child under age 15, please contact us at privacy@pwinty.com.

Cookies and Web Server Logs

“Cookies” are a feature of web browser software that allows web servers to recognise the computer used to access a website. Cookies can remember what information a computer accessed on one web page to streamline activities on related web pages and to make the online experience easier and more personalised. Log files are used to monitor, measure, analyse, improve, and troubleshoot our Services.

We utilise “cookies” and other technologies to collect non-personally-identifiable information from our Website and from other websites that use our Services. Where you request that your payment credentials be remembered by our checkout system, the cookies will also collect Personal Data about you. Information gathered through cookies and web-server log files may include information such as the date and time of visits, the pages viewed, IP addresses, links to/from any page, and time spent at our site.

We use cookie data to measure web traffic and usage activity on our Website for purposes of monitoring, troubleshooting and improving our Website and Services, to look for possible fraudulent activity, and to better understand the sources of traffic and transactions on our Website and the websites of Merchants that use our Services. Cookies also allow our servers to remember your account information for future visits and to provide personalised and streamlined information across related pages on our Website and also across other websites or applications that use our Services. You can choose to disable cookies for our Website but this may limit your ability to use our Website and Services.

Marketing and Cookies Opt-Out

We may occasionally email you with information about offers or new services. If you do not wish to receive this marketing material then please email privacy@pwinty.com. You can also opt out of these email communications by replying with unsubscribe in the subject line, or via an unsubscribe link included in such communications. However, you will continue to receive certain email communications related to your account and your relationship with Pwinty.

If you wish to opt out of having cookies set on your browser, the only way to ensure that this happens is to manage the settings on your web browser to delete all cookies and disallow further acceptance of cookies. Note that disabling cookies on your browser prevents Pwinty from tracking your activities in relation to our Website and Services. However, it may also disable many of the features available through our Websites and Services and some aspects of our Services may not work properly if you do so. For more information, refer to your browser’s technical information. You may also consider visiting aboutcookies.org, which provides helpful information about cookies.

In order to understand and improve the effectiveness of our advertising, we may also use web beacons, cookies, and other technology to identify the fact that you have visited our Website or seen one of our advertisements, and we may provide that information to one or more third party advertising networks. The information we provide may include the time and date of your visit to our Website, pages viewed, links clicked and other non-personally identifying information. Those advertising networks may recognise the web beacon or cookie associated with your visit to our Website when you visit other websites on which they serve advertising, and they may make decisions about the advertisements you see based on it. We may choose to work with Google AdWords, Doubleclick, AdRoll or other advertising networks. Each of these companies has its own privacy policy, which we encourage you to review. For more information about advertising and tracking online, visit the Network Advertising Initiative. This website allows consumers to “opt out” of the behavioural advertising delivered by member companies. Additional information on that program can be found [here](#).

Appendix 1 lists the types of Cookies we use and their purpose.

Sharing and Disclosure of your Personal Data

Pwinty does not sell or rent your Personal Data to marketers or third parties. Pwinty may disclose Personal Data it collects about you to trusted third parties who are integral to the operation of our Website and Services for a variety of purposes in connection with providing our Services, operating our Website and special offers to you. These third parties may include our agents, related bodies corporate, contractors, financial institutions, payment processors, verification services and credit

bureaus, as well as any third parties that you have directly authorised to receive your Personal Data.

We may share Ordering User's contact information with contractors as part of the Ordering User's purchases.

We may store your Personal Data in locations outside the direct control of Pwinty, for instance, on servers or databases co-located with hosting providers. Some of the related bodies corporate or third parties to whom we disclose your Personal Data are located outside of Germany. These countries may include the United States of America and Ireland.

We may also disclose your Personal Data to law enforcement, government officials, or other third parties if required by law or we believe in good faith that the disclosure is necessary to prevent physical harm or financial loss, to report suspected illegal activity, or to investigate violations of our Terms of Service.

In addition, in the event of a merger, acquisition, reorganisation, bankruptcy, or other similar events, certain information in our possession may be transferred to our successor or assign.

Any sharing or disclosure of your Personal Data will be in compliance with applicable data protection laws and regulations.

Retention of your Personal Data

Personal Data that we collect and use for any purpose or purposes shall not be retained for longer than is necessary for that purpose or those purposes. This includes the Personal Data of Ordering Users.

Pwinty has a variety of obligations to retain the data that you provide us, both to ensure that transactions can be appropriately processed, settled, refunded or charged back, to identify fraud, and also to comply with laws applicable to us. Accordingly, even if you close your Pwinty account, we will retain certain information as necessary to meet our obligations. However, we will identify your account in our database as "inactive" or "closed".

Protection of Personal Data

Although no data transmission can be guaranteed to be 100% secure, we take all reasonable steps to ensure that the Personal Data we collect, use or disclose is accurate, complete, up-to-date, relevant and stored securely.

We also take all reasonable steps to ensure that the Personal Data we hold is protected from misuse, interference, loss, unauthorised access, modification or disclosure by the use of various methods including access limitation, and industry-standard Secure Socket Layer (SSL) encryption technology to safeguard the account registration process and sign-up information. Other security safeguards include but are not limited to data encryption, firewalls, and physical access controls to building and files.

Pwinty will provide some or all of its Services from systems located outside of Europe. As such, Merchants are required to disclose to Ordering Users that personally identifiable information may be transferred, processed and stored outside of Europe.

Pwinty maintains strict administrative, technical and physical procedures to protect information stored in our servers, which are located in the United States. Access to information is limited (through user/password credentials and software systems) to those employees who require it to perform their job functions.

Changes to this Policy

We reserve the right to make changes to this Policy from time to time. Please review this Policy periodically to check for updates. If any changes are material and/or retroactive, we may provide additional notice and/or an opportunity to "opt-in," as appropriate under the circumstances. We may

also advise you of changes to this policy by emailing and/or mailing the revised policy to any addresses you provide us.

Access, Correction and Complaints – Contact Us

Merchants can update their account information by signing on to our [Website](#) with their Pwinty account.

If you have any questions or suggestions about this Privacy Policy or would like to access or seek correction of your Personal Data, or if you have complaints regarding our privacy practices, please contact our Privacy Officer by emailing privacy@pwinty.com.

We aim to acknowledge receipt of all complaints within five business days and to resolve all complaints within 40 business days (although this may not be possible in all circumstances, and is dependent on the complexity of the issue). Where we cannot resolve a complaint within 40 business days, we will notify you of the reason for the delay as well as an indication of when we expect to resolve the complaint.

Appendix 1 - Cookies and Purpose

Cookies enable us to identify your device, or you when you have logged in. We use cookies that are strictly necessary to enable you to move around the site or to provide certain basic features. We use cookies to enhance the functionality of the Website by storing your preferences, for example. We also use cookies to help us to improve the performance of our Website to provide you with a better user experience.