PRIVACY POLICY

MODUE.COM

Privacy policy version 2.0 is effective as of July 26, 2024.

§ 1 GENERAL INFORMATION

1. The Privacy Policy of the Online Store is not a source of obligations for the Visitor and Customer of the Online Store. It is for informational purposes and is not a contract or terms and conditions.

2. All expressions and words written with a capital letter (e.g., Online Store, Customer, etc.) shall be understood in accordance with the Terms and Conditions of the Online Store.

3. In the event of any discrepancy between this Privacy Policy and the consents given by an individual for the processing of personal data, the legal basis for determining the scope of the Personal Data Controller's activities shall be the voluntarily given consents or the provisions of law that apply to the factual situation.

§ 2 PERSONAL DATA CONTROLLER

1. The Personal Data Controller is MODUE Sp. z o.o. with its registered office in Wrocław, Hubska Street 52/14, 50-502 Wrocław, Poland, registered in the District Court of Lublin Wschód in Lublin with its seat in Świdnik, VI Economic Department of the National Court Register under the KRS number: 0001021595, NIP number (tax number): 7151951406, REGON (business entity identification number): 52454695700000, share capital: PLN 10,300, BDO number 000639904 (hereinafter: Personal Data Controller).

2. For all data protection issues, we encourage you to contact us at the above address or via email address: **contact@modue.com.**

3. You can also send a request to the indicated address for access to information about what personal data we have about you and for what purposes we process it.

4. The Personal Data Controller informs that it stores correspondence for statistical purposes and for the purpose of improving the support system in the scope of GDPR, as well as for the resolution of complaints and possible decisions on administrative interventions made on the basis of notifications in the indicated Customer Account. Addresses and data thus collected will not be used for communication for any purpose other than the execution of the request, in particular, they will not be used for marketing purposes and transferred to third parties.

5. When contacting the Personal Data Controller to perform a specific action (e.g., filing a complaint, making a return), the Personal Data Controller may again ask the person to provide data, including personal data, e.g., in the form of name, surname, home address, e-mail address, in order to confirm his/her identity and enable the person to be contacted back on the matter and perform the requested action. Provision of such data is not mandatory, but may be necessary to perform an action or obtain information of interest to the person.

6. If you have given additional consent for us to use cookies, our trusted partners may also be the controllers of the data obtained from your online activities.

§ 3 DATA ACQUISITION AND PURPOSE OF DATA PROCESSING

1. We process personal data in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 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, (hereinafter: GDPR) and other data protection laws currently in force at the time of processing certain data.

2. According to the wording of the legislation indicated, personal data is considered information about an identified or identifiable natural person. An identifiable natural person is one who can be identified directly or indirectly, in particular by means of an identifier such as a name, an identification number, location data, an online identifier or one or more specific factors that determine the physical, physiological, genetic, mental, economic, cultural or social identity of the natural person.

3. We ensure that the data we obtain from you is confidential, secure and processed only when necessary. We process data in accordance with the law, in a fair and transparent manner for the data subject. We process only such data and only with such content that is necessary for the legitimate purpose, i.e. the reason for processing. Personal data is collected with due diligence and adequately protected against access by unauthorized persons. We use appropriate and adequate security measures and state of the art technology to protect personal data from accidental loss and unauthorized access, use, alteration, or disclosure. We store personal data in a manner that allows identification of the data subject for no longer than is necessary for the purposes for which the data are processed.

4. The Personal Data Controller obtains information about personal data in the following ways:
   a) by making a purchase in the Store (online store) by the Customer;
   b) by voluntary subscription to the Newsletter service;
   c) by voluntarily entering information in an email or contact form;
   d) by sending a complaint, application, inquiry or letter of any other nature;
   e) by voluntarily entering information in an e-mail sent in connection with the desire to establish cooperation;
   f) through cookies, pixels, or similar Internet technologies.

5. Please be advised that the purpose and scope of the data processed by the Personal Data Controller derives from the Visitor's or Customer's consent or the law and, in selected cases, is further specified as a result of actions taken by these persons on the Online Store or through other communication channels.

6. Provision of personal data by a Visitor or Customer of the Online Store is voluntary, but necessary in order to use certain functionalities of the Online Store (e.g., placing an Order by a Customer and its settlement or using contact forms).

7. Each time, the scope of data required to conclude the relevant agreement is indicated in advance in the Online Store (we mark the data required to conclude an agreement/use a specific functionality), within the framework of other channels of communication with the Guest or Customer, or in the Terms and Conditions. The consequence of not providing personal data may be the inability to effectively use the functionality of the Website, such as the

inability to place an order.

8. Your personal data is obtained by the Personal Data Controller for the following purpose:

Purpose of processing	Legal basis	Legally legitimate purpose, if any
Keeping statistics.	Article 6(1)(f) GDPR.	To have information about the statistics of our operations, which allows us to improve our business operations.
Conducting marketing of its own products and services without the use of electronic communications.	Article 6(1)(f) GDPR.	Conduct marketing activities to promote the business.
Conducting marketing of its own products and services using electronic communications, including profiling.	Article 6(1)(f) of the GDPR, with these actions due to other applicable regulations, in particular the Telecommunications Law and the Law on Provision of Electronic Services, are conducted only on the basis of consents held (Article 6(1)(a) of the GDPR).	Conduct marketing activities to promote the business using e-mail addresses. Presenting advertisements, customizing discounts and promotions.
Handling requests directed using the contact form, emails, complaints, other requests.	Article 6(1)(a) of the GDPR; Article 6(1)(c) GDPR.	Responding to requests and inquiries made using the contact form or in any other form, including storing sensitive requests and answers provided to maintain accountability. Handling requests, responding to consumer complaints. Investigation of claims, including from third parties, defense by them.
Conclusion and execution of the Sales Agreement.	Article 6(1)(b) GDPR.	To conclude and execute the Sales Agreement or to take action at the request of the prospective Customer prior to its conclusion.
Archiving of sales documents.	Article 6(1)(c) GDPR.	Fulfillment of legal obligations under regulations, such as tax and accounting, especially in the case of paid contracts.

9. In the case of an adult Customer or an adult Guest, with their additional consent, Personal Data may also be processed for the purpose of presenting, creating, granting, and executing advertisements, offers, or promotions (discounts) dedicated to a given Customer regarding the

products or services of the Personal Data Controller and its partners, to the greatest extent possible, tailored to the Customer's preferences (profiling), as a result of automated decision-making, capable of producing legal effects with respect to him or her or similarly significantly affecting him or her, e.g. by dedicating exclusively to such a person a short-term discount on a specific product he/she has recently browsed in our Online Store (option not available to persons who are not of age or are of age but have not given their consent to such action).

10. **Newsletter.** If you wish to subscribe to our newsletter, it is mandatory to provide us with your e-mail address via the newsletter subscription form. Providing data is voluntary, but necessary to use the newsletter service.
    The data provided to us when signing up for the newsletter is used to send you a newsletter in which we inform you about the company's activities, current collection, promotions and discounts. The legal basis for processing in this situation is your voluntary consent given when signing up for the newsletter.
    Your data is processed in this case for the purpose of sending the newsletter periodically, and the basis for processing is Article 6(1)(a) of the GDPR, i.e. your consent resulting from your desire to receive the service.
    The data will be processed for the duration of the newsletter, unless you opt out earlier, which will permanently delete your data from the database. In addition, you can correct your data stored in the newsletter database at any time, as well as request its deletion by opting out of receiving the newsletter. You also have the right to data portability, contained in Article 20 of the GDPR.
    The newsletter database is properly secured by the Personal Data Controller. The newsletter as a database is handled through an external entity. The e-mails sent include links to hidden images (the so-called tracking pixel). In addition to its primary function of counting email opens, it is also optionally used to identify the Client and conduct marketing activities.

11. **Email contact, contact form.** When you contact us via e-mail or contact form, you provide us with your e-mail address as the address of the sender of the message. In addition, you may also include other personal information in the body of the message. Providing data is voluntary, but necessary to contact us.
    Your data is processed in this case for the purpose of contacting you, and the basis for processing is Article 6(1)(a) of the GDPR, i.e. your consent resulting from your desire to contact us. The legal basis for post-contact processing is the legitimate purpose of archiving correspondence for internal purposes (Article 6(1)(c) GDPR).
    The contents of your correspondence may be subject to archiving and we are not in a position to state explicitly when it will be deleted, however, this will be for a period of no more than 5 years. You have the right to request the history of the correspondence you have had with us (if it was subject to archiving), as well as to request its deletion, unless its archiving is justified due to our overriding interests.

§ 4 CATEGORIES OF PERSONAL DATA

1. The Controller may process the following categories of personal data:
   a) personal data provided in the form when placing Orders on the Online Store, in particular: e-mail address, name and surname, telephone number;
   b) Personal data necessary to place an Order, in particular: name and surname; e-mail address; contact telephone number; address of residence [street, house number, apartment number, postal code, city, country], and in the case of Customers who are not consumers, additionally company name and tax identification number [NIP];
   c) personal data provided for the use of the Newsletter, provided when using the contact

form and sent via e-mail; or provided when filing complaints, claims or requests, in particular: name and surname; e-mail address; contact telephone number; address [street, house number, apartment number, postal code, city, country], bank account number;

d) Personal data provided for the purpose of participating in contests/promotional events: name and surname; e-mail address; contact telephone number; address of residence [street, house number, apartment number, postal code, city, country];
e) other data, in particular, obtained based on the Customer's activity on the Internet, including those obtained through the Online Store or other channels of communication with the Customer, using cookies and similar technologies.

§ 5 RECIPIENTS OF PERSONAL DATA

1. Your personal data may be processed by our partners and subcontractors, i.e. entities we use to process data and provide services to you. To the best of our knowledge, all entities to whom we entrust the processing of personal data guarantee the application of appropriate measures for the protection and security of personal data required by law.

2. Your personal data may be transferred by the Personal Data Controller:
   a) to state authorities or other entities authorized under the law, in order to perform the obligations incumbent on us;
   b) The Personal Data Controller's partners may be involved in the processing of personal data to a limited extent, in particular, those who technically help to run the Online Store efficiently (e.g., support us in sending e-mails and, in the case of advertising activities, also in marketing campaigns), providers of hosting or ICT services, carriers or intermediaries who deliver shipments of Orders, entities that process electronic payments or payment card payments in the Online Store, companies that service software, support the Personal Data Controller in marketing campaigns, as well as providers of legal and consulting services and external accounting;
   c) In addition, we may share fully anonymized data (data that cannot identify you) with entities with whom we work.

3. As part of its marketing (advertising) activities, the Personal Data Controller uses the services of third parties that use cookies, pixels or marketing functions similar to cookies on the Online Store. The catalog of these entities is indicated in detail in § 8 of this Policy.
4. Ther Data Controller may make the telephone number or e-mail address of the Customer available to the IT service provider for the purpose of issuing, maintaining and providing access to electronic fiscal receipts:
   a. providing the customer with a view of electronic receipts and additional information from the issuing process;
   b. sending text messages and other notifications to customers confirming the issue of electronic fiscal receipts to the IT system of the entity providing IT support for electronic fiscal receipts.

§ 6 ARCHIVING OF PERSONAL DATA

1. The Personal Data Controller will retain your personal information only for as long as necessary for the purposes set forth in this Privacy Policy and/or to comply with legal and regulatory requirements. After this period, the Personal Data Controller will securely delete your personal data.

2. We retain the data for the periods indicated below:

Data related to the sales procedure.	10 years
Data for marketing purposes.	In the case of data processing based on consent - until it is withdrawn. In the case of data processing on the basis of a legitimate purpose - until you object.
Data provided using the contact form, e-mail.	For a period of 3 years to maintain accountability.
Personal data related to cookies and similar functions.	Until the deletion of these files using the settings of the website / browser / device (while deletion of files is not always the same as deletion of Personal Data obtained through these files - in which case Personal Data will be deleted until you object).
Data provided in the course of complaint and other procedures related to customer claims.	6 years.
The remaining category of data (with the exception of data from cookies, about which more in our Cookies Policy).	5 years.

3. In any case, personal data will also be stored if the law (e.g., accounting or tax law) obliges the Personal Data Controller to process them; we will keep personal data longer in case the Customer has any claims against the Personal Data Controller, for the Personal Data Controller to assert claims, or for the Personal Data Controller to assert or defend against third-party claims, for the period of limitation prescribed by law, in particular the Civil Code.

4. Thus, depending on the scope of personal data and the purposes for which they are processed, they may be kept for different periods. In each case, the longer term of storage of personal data is decisive.

§ 7 ENTITLEMENTS, ACCESSING AND UPDATING PERSONAL DATA, COMPLAINTS

Pursuant to Article 15 of the GDPR, you have the right to obtain information from the Data Controller as to whether your personal data is being processed.

If the Personal Data Controller processes your personal data, then you have the right to:

a) access to personal data;
b) obtain information about the purposes of processing, the categories of personal data processed, the recipients or categories of recipients of such data, the intended period of storage of your data or the criteria for determining that period, your rights under the GDPR and your right to lodge a complaint with a supervisory authority, the source of such data, automated decision-making, including profiling, and the safeguards applied in connection with the transfer of such data outside the European Union;
c) obtain a copy of your personal data.

In addition, you may request that your personal data be corrected (Article 16 of the GDPR), have your personal data deleted (Article 17 of the GDPR), object to the processing of your personal data (Article 21 of the GDPR), and, where technically feasible, request that the personal data provided be transferred to another organization (Article 20 of the GDPR).

In connection with the right to be forgotten, the Personal Data Controller will update or delete your data, unless it has a legal obligation to retain it for business purposes or to comply with the law. In some cases, you have the right to request the restriction of the processing of your personal data (Article 18 of the DPA). You may also contact the Personal Data Controller if you have concerns about the collection, storage or use of your personal data.

The Personal Data Controller shall endeavor to promptly consider all requests regarding the aforementioned operations on your personal data, but no later than within 30 days of receiving the request. Due to the complex nature of the request, the Personal Data Controller has the right to consider your requests in excess of 30 days, of which it will inform you in advance.

The controller strives for a definitive resolution of complaints, but if you are still dissatisfied with the response you receive, you may file a complaint with the supervisory authority dealing with personal data protection of your local data protection authority. In Poland, the supervisory authority under the GDPR is the President of the Office for Personal Data Protection.

§ 8 PROCESSING OF PERSONAL DATA BY AUTOMATED MEANS, COOKIE POLICY

1. Our Web Site, like almost all other Web sites, uses cookies, or "cookies". The cookie policy applies to both Customers of the Web Store and the Guest, i.e. a user who browses the contents of the Store but does not make purchases.
2. The Cookie Policy is a document that is an integral part of this Privacy Policy.
3. The Website also uses functionality similar to cookies. Accordingly, the individual provisions of the Cookie Policy should also be referred to these technologies accordingly.
4. Selected cookies process your personal data. The processing of personal data from cookies or similar technologies on our Website is carried out for the purposes of ensuring the functioning of the Website, customization of the Website to the preferences of the Visitor and the Customer, or analytical purposes. The processing is carried out on the basis of our legitimate interest. The legal basis for the processing of personal data for advertising purposes will be your additional consent, expressed by making a selection and checking the checkbox during the cookie consent process.
5. When a Guest uses the Online Store, cookies are used to identify her browser or device - cookies collect various types of information, which, as a rule, do not constitute personal data. However, some information, depending on its content and use, may be associated with a specific person - attributing certain behaviors to a specific Visitor or Customer, for example, by linking them to the data provided when registering an Account with the Online Store, or a specific e-mail address - and thus be considered personal data.
6. In relation to information collected by cookies that can be linked to a specific person, the provisions of the Privacy Policy of the Online Store relating to personal data, in particular those relating to the rights of the data subject, shall apply.
7. The Website uses profiling. Thanks to the cookies used in the Online Store, it is possible for the Personal Data Controller to learn about the preferences of the Visitor/Customer - for example, by analyzing how often they visit the Online Store and whether and what products they buy. Analysis of online behavior helps to better understand the habits and expectations of Customers and Guests and to adapt to their needs and interests. Thanks to this technology, it is possible to present Guests with advertisements tailored to their needs and interests, and to prepare better promotions and surprises for adult Guests who have agreed to do so.

§ 9 PRIVACY POLICY CHANGES

1. This Privacy Policy 1.0. is effective as of July 26, 2024.
2. The Personal Data Controller declares that he has the right to make changes to this document for important reasons, among others:

a) changes in applicable laws, in particular in the area of GDPR, telecommunications law, electronically provided services and regulating consumer rights, affecting the rights and obligations of the Controller or the rights and obligations of the data subject;

b) developments in functionality or electronic services caused by advances in Internet technology, including the implementation of new IT, technological or technical solutions on the Website, affecting the scope of this Privacy Policy.

3. The Personal Data Controller undertakes to inform Users of any changes in good time, allowing them to familiarize themselves with the content of the amended document, e.g. by posting the consolidated text of the Privacy Policy on the homepage of the Website.

4. In the case of users using the newsletter function, if the Personal Data Controller makes substantial changes to the content of the Privacy Policy, the Personal Data Controller will inform the Users of such changes by e-mail. In case of any objections to the change of the Policy, the user has the right to stop using the newsletter by sending a request to unsubscribe from the newsletter or by requesting the deletion of his/her personal data.

Previous Privacy Policy:

Privacy Policy 1.0 effective from until 25.07.2024 <link>.