

## PRIVACY POLICY

In force from: 2020-03-01

**Wojnarowscy sp. z o.o.** is committed to protecting your privacy.

This Privacy Policy (hereinafter referred to as the "Policy") describes how we process your personal data obtained in connection with the use of the SpectrumSMART mobile application (hereinafter referred to as the "Application").

For the purposes of this Policy, the term "Personal Data" shall be understood in accordance with the definition in Article 4 (1) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (hereinafter referred to as the "GDPR"), which states that personal data means any information relating to an identified or identifiable individual ("data subject"); an identifiable individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name and surname, an identification number, location data, an on-line identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that individual.

The term "Smart Devices" should be understood as a non-standard computer device with a human-machine interface and the ability to transmit data wirelessly to the network, including primarily smart lighting (light bulbs), adapters/switches for traditional sockets, light switches in the portfolio of Wojnarowscy sp. z o.o., as well as other devices, in particular household appliances which can be remotely operated by means of the Application.

**In fulfilling the information obligation under Article 13(1) and (2) of the GDPR we indicate the following:**

### **Who is the Controller of your Personal Data collected through the SpectrumSMART mobile application?**

In connection with your use of the Application, the Controller of your personal data is **Wojnarowscy sp. z o.o.** with its registered office in Katowice (40-432), at ul. Gospodarcza 16, entered into the Register of Entrepreneurs of the National Court Register kept by the District Court for Katowice-Wschód in Katowice, 8th Commercial Division of the National Court Register under KRS number: 0000047452, NIP: 9542386911, REGON: 277560336.

The Controller can be contacted at the following address: ul. Gospodarcza 16, 40-432 Katowice; by e-mail: [ado@spectrumsmart.pl](mailto:ado@spectrumsmart.pl), telephone: +48 32 735 0 614

## **What Personal Data do we collect?**

In order to provide you with our services, we will ask you to disclose the necessary personal data which is required to provide them. Your disclosure of personal data is voluntary, but failure to disclose it may prevent us from providing services to you through the Application.

- **The information you disclose voluntarily:**

- **Account or profile details:** When you register with the Application (create a user account for it), we may collect your contact details, such as your e-mail address, phone number and user name. We may also further collect data such as the profile photo, country code, preferred language or time zone information in your account.
- **Your opinion:** When you use the Application's feature which allows you to provide feedback and suggestions on the operation of our Products and the Application itself, we will collect data such as your e-mail address, mobile phone number and the content of your feedback in order to resolve problems in a timely manner and to remedy device failures.

- **The information we collect automatically:**

- **Device information:** When you use the Application, we automatically collect information about your mobile device, such as your device's MAC address, IP address, wireless connection information, operating system type and version, application version number, push notification ID, log files, and mobile network information.
- **The operational data:** When you interact with our Websites and Services, we automatically collect data about your visits, clicks, downloads, sent/received messages and other uses of our Websites and Services.
- **Log information:** The application and exception logs may be sent to us, when you use our Application.

- **Smart Device information:**

- **Basic information about Smart Devices:** When you connect Smart Devices to the Application, we can collect basic information about Smart Devices, such as the device name, device ID, online status, activation time, firmware version and update information.
- **The information transmitted by Smart Devices:** Depending on the different Smart Devices which you choose to connect to our Application, we may collect different

information sent by your Smart Devices. For example, smart light bulbs can send the date of first activation, operating time, general analysis of the device's operation, communication errors, non-specific device location (continent, country, city). .

### **Purpose and legal basis of personal data processing**

We process your personal data collected through the Application for the following purposes and on the legal basis indicated below:

- **Provision of Services:** We process your account and profile data, mobile device information, operational information, location information and information relating to Smart Devices in order to provide electronic services and to enable you to use the services within the Application, including registering and using the Application, making the features of the Application available to the users, maintaining contact, maintaining and operating your account within the Application, and handling any complaints. The legal basis for this processing is the performance of our agreement with you in accordance with our Terms of Use of the Application (Article 6(1)(b) of the GDPR),
- **Improvement of our Services:** We process information regarding your mobile device, operational data and information related to Smart Devices to ensure the proper functioning and security of our Application, to develop and improve its functionality, and to prevent and track fraudulent or improper use of the Application. The legal basis for this processing is both the performance of our agreement with you in accordance with our Terms of Use of the Application (Article 6(1)(b) of the GDPR) and our legitimate interest described in this section (Article 6(1)(f) of the GDPR),
- **Non-marketing communication:** We process your personal data in order to send you important information regarding your use of the services provided through the Application, changes to our Terms of Use, our rules and policies and/or other administrative information. The legal basis for this processing is the performance of our agreement with you in accordance with our Terms of Use of the Application (Article 6(1)(b) of the GDPR) and our legally justified interest (Article 6(1)(f) of the GDPR),
- **Marketing communication:** We may process your personal data in order to provide you with marketing and promotional materials about our Products and Services. If we do so, each message we send will include instructions to opt out of receiving this type of information in the future. The legal basis for this processing is your consent. In addition, if you agree to participate in our lottery, contest or other promotions, we may use your personal information to manage such activities.

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- **Implementation of obligations arising from the law:** We may process your personal data if it is necessary to fulfil the legal obligations of Wojnarowscy sp. z o.o. (Article 6(1)(c) of the GDPR),
- **Establishing, pursuing claims, defending against claims; protection of your interests**  
We may process your personal data to enforce compliance with our Terms; to use the Application to protect our operations, activities and systems; to protect our rights, privacy, security or property and/or rights of other users, including yours; and to enable us to pursue or defend against claims (Article 6(1)(d) and (f) of the GDPR).

### **Who do we share your personal data with?**

Wojnarowscy Sp. z o.o. may transfer your personal data to other entities, which provide it with support services for the proper operation of the Application, IT services, and personal data storage services in the cloud. It may also be the case that our company will be obliged to provide data when an authorised entity with an appropriate legal basis requests information from us.

### **Transfer of personal data to third countries or international organisations**

We do not intend to transfer your data to a third country or international organisation, however, this may happen. We then undertake to ensure an adequate level of data protection.

Your data may be transferred to a third party if it is processed using cloud tools whose storage space may be located on servers outside the European Economic Area (EEA), or if you use e-mail to contact us, with the administrator of such electronic communication service using servers located outside the EEA.

For transfers outside the EEA, the Controller undertakes to put in place the appropriate security systems, as required by the GDPR in Articles 44-50, to guarantee the security of your personal data.

### **Your rights relating to personal data processing**

We respect your rights in relation to personal data processing, and you can exercise these rights in the following manner:

- Through the Application via “Profile - Personal Centre”,
- By sending us an e-mail to [ado@spectrumsmart.pl](mailto:ado@spectrumsmart.pl).

You do not have to pay any fees, and we will try to respond within 30 days. If you choose to send us an e-mail, please specify clearly what information you wish to change, whether you wish to erase your personal data from our database, or what restrictions you wish to impose on our use of your personal data. Please note that for security purposes we may ask you to verify your identity before taking further action on your request.

**You have the right to:**

- Request access to your personal data which we process (Article 15 of the GDPR – Right of access by the data subject);
- Request that we correct inaccurate or incomplete personal data (Article 16 GDPR – Right to rectification);
- Request erasure of personal data (Article 17 of the GDPR – Right to erasure (“right to be forgotten”));
- Request a temporary or permanent restriction of our processing of some or all of your personal data (Article 18 of the GDPR – Right to restriction of processing);
- Request that you or another controller be transferred personal data in a structured, commonly used machine-readable format if we process the data on the basis of your consent or an agreement concluded with you and if our processing is automated (Article 20 GDPR – Right to data portability);
- You may withdraw or object to our use of your personal data if our use is based on your consent or on our legitimate interests (Article 21 of the GDPR – Right to object);
- Withdraw your consent to the processing of your personal data at any time, however, without affecting the lawfulness of the processing carried out on the basis of your consent before its withdrawal. Withdrawal of consent may be made by mail or e-mail, using the contact details of the Controller indicated in this Policy (Article 7(3) of the GDPR – Right to withdraw consent to data processing);
- File a complaint with a supervisory authority, the President of the Office for the Protection of Personal Data, if you consider that we have violated the provisions on personal data processing (Article 77 of the GDPR – Right to lodge a complaint with a supervisory authority).

**We ensure the security of personal data processed**

We use appropriate physical, administrative and technical safeguards to maintain the integrity and security of personal data processed. As far as access to Smart Devices is concerned, proprietary algorithms are used to ensure data isolation, access authentication, and authorisation. Data transmission is secured using security algorithms and transmission encryption protocols and by

encrypting the transmission of information on a commercial level, based on dynamic keys. When it comes to data processing itself, we apply strict data filtering and validation and a full data audit. When it comes to data storage, all users' confidential information will be securely encrypted for storage. If you have any doubts regarding the personal data security measures in place or if you become aware that there has been a breach of security of the data collected in your account or in the account of another user of the Application, please contact us immediately at the following e-mail addresses: [ado@spectrumsmart.pl](mailto:ado@spectrumsmart.pl)

### **Personal data retention period**

We process your personal data for the period necessary to achieve the processing purposes set out in this Policy, unless the applicable law requires that the data be kept for a longer period. As a general rule, data is processed during the period of service provision or order fulfilment, if the legal basis for data processing is our legitimate interest, until you effectively object to its processing; if the basis for data processing is your consent, then until it is withdrawn. The period of personal data processing may be extended when it is necessary to establish and pursue possible claims or defence against them. After the processing period your personal data will be destroyed. If we are unable to erase the data for technical reasons, we undertake to ensure that appropriate measures are put in place to prevent its further use.

### **Amendments to this Privacy Policy**

We may update this Policy to reflect amendments in applicable personal data protection laws and amendments in our data protection practices. You will be notified in advance of any amendments by e-mail (sent to the e-mail address provided in your account) or by notification in the Application.

### **Applicable law and jurisdiction**

This policy has been formulated in accordance with the principles of personal data protection resulting from the GDPR and the Personal Data Protection Act of 10 May 2018. (consolidated text: Journal of Laws of 2019, item 1781, as amended).

If you have any questions about our data protection practices or this Privacy Policy, please contact us at:

- a) mailing address: ul. Gospodarcza 16, 40-432 Katowice,
- b) e-mail address: [ado@spectrumsmart.pl](mailto:ado@spectrumsmart.pl)
- c) telephone: +48 32 735 0 614.