

Privacy Policy

Welcome to the www.xxxexclusive.com website (the 'website').

We (defined hereunder) are committed to protecting and respecting your privacy.

This privacy policy (together with our terms and conditions of use and any other documents referred to on it) 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 views and practices regarding your personal data and how we will treat it.

Our website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data.

Content

- 1. Controller
- 2. Data Protection Officer
- 3. What information do we collect about you and how?
- 4. What is the purpose for which we will use your data and what is the legal basis on which we rely?
- 5. Marketing and other uses of your non-personal data by us and by third parties
- 6. Who do we share your personal data with?
- 7. How long is your personal data stored for?
- 8. Where do we store your personal data?
- 9. What are your rights?
- 10. Miscellaneous
- 11. Final provisions

1. Controller

This privacy notice is issued on behalf of Smart Gate s.r.o. Veverkova 459/3, Holešovice, 170 00 Praha 7 so when we mention 'we', 'our' or 'us' in this privacy notice, we are referring to Smart Gate s.r.o. which is responsible for processing your data. Smart Gate s.r.o. is the data controller for the purposes of the Data Protection Act 2018 (the 'Act') and for the purposes of the Regulation 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 (General Data Protection Regulation) (the 'GDPR'). You can reach us at support@xxxexclusive.com.

2. Data Protection Officer

No data protection officer is currently appointed.

3. What information do we collect about you and how?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you, which we have grouped together as follows:

- Identity Data includes full name, Zip/Postal Code, Country, City, email address.
- Contact Data includes email address.
- Transaction Data includes details about payments to and from you (e.g. the amount of purchased service) and other details of services you have purchased from us.
- Technical Data includes internet protocol (IP) address, your login data (except for the password which is encrypted), browser type and version, time zone setting

and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.

- Profile Data includes your username, orders made by you, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use our website, products and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

If you do not provide your personal data related to the performance of a contract with you, we may not be able to deliver products and provide certain services you require, or guarantee a level of service.

For the purpose of providing our services, we collect some special categories of personal data about you, concerning sex life and sexual orientation. We do not collect data falling in other special categories, such as details about your race, ethnicity, religious or philosophical beliefs, political opinions, trade union membership, health, genetic and biometric data nor criminal convictions and offences.

We use different methods to collect data from and about you including through:

Direct interactions. You may give us your data by filling in forms or by corresponding with us by post, phone, e-mail or otherwise. This includes personal data you provide when you:

- apply for our products or services;
- create an account on our website; or
- give us feedback or contact us.

Automated technologies or interactions. As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookie policy for further details.

Third parties or publicly available sources. We will receive personal data about you from various third parties as set out below:

- Contact, Financial and Transaction Data from providers of technical, payment and delivery services.

4. What is the purpose FOR WHICH WE WILL USE YOUR DATA and WHAT IS THE legal basis on WHICH WE RELY?

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

- Where we need to perform the contract we are about to enter into or have entered into 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. You have the right to object where we are processing your personal data for direct marketing purposes based on the legal basis of legitimate interest.
- Where we need to comply with a legal or regulatory obligation.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new user	<ul style="list-style-type: none"> • Identity • Contact 	Performance of a contract with you. Necessary to comply with a legal obligation (to ensure that the user is 18+ years old)
To process your membership and deliver products and services: <ul style="list-style-type: none"> • Administration of user account • Manage payments • Collect and recover money owed to us • To answer any question you may raise or respond to any comments you may send to us 	<ul style="list-style-type: none"> • Identity • Contact • Financial • Transaction • Marketing and Communications 	Performance of a contract with you Necessary for our legitimate interests (to recover debts due to us)

<p>To manage our relationship with you which will include:</p> <ul style="list-style-type: none"> • Notifying you about changes to our terms and conditions of use or privacy policy • Asking you to leave a review or take a survey 	<ul style="list-style-type: none"> • Identity • Contact 	<p>Necessary to comply with a legal obligation Necessary for our legitimate interests (to keep our records updated and to study how customers use our services)</p>
<p>To make suggestions and recommendations to you about services that may be of interest to you</p> <ul style="list-style-type: none"> • Notifying you of any compatible tips, announcements, updates, special offers, new products and services 	<ul style="list-style-type: none"> • Identity • Contact • Profile • Usage • Marketing and Communications Data 	<p>Necessary for our legitimate interests (to develop our products/services and grow our business) Consent to the processing (if freely given, specific, informed and unambiguous)</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<ul style="list-style-type: none"> • Identity • Contact • Usage • Technical 	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<ul style="list-style-type: none"> • Identity • Contact • Profile • Usage • Technical • Marketing and Communications Data 	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences</p> <p>To send third party direct marketing communications to you</p>	<ul style="list-style-type: none"> • Technical • Usage • Identity • Contact • Marketing and Communications Data 	<p>Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy) Consent to the processing (if freely given, specific, informed and unambiguous)</p>

5. Marketing and other uses of your non-personal data by us and by third parties

We may share non-personal information we collect under any of the above circumstances (e.g. aggregated data about the number or localisation of users). We may share it with our own companies or other third parties to develop and deliver targeted advertising to you, or to help us prepare or share aggregate business and marketing reports.

We would like to send you information about goods and services offered by us and selected third parties that we think may be of interest to you. For that, the email address or mobile phone number you have provided can be used.

If you do want us to use your data in this way, or to pass your details on to third parties for marketing purposes please tick the appropriate boxes situated in the 'my account' area of the website.

Should you change your mind, you can ask us not to use your personal information, or to pass your details on to third parties for marketing purposes, by e-mailing us at: support@xxxexclusive.com.

6. Who do we share your personal data with?

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

The external recipients with which we share your personal data are:

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.

- Buyers and perspective buyers of our business: As we continue to develop our business, we might sell or buy assets. In such transactions, the information we have collected about you will generally be one of the transferred business assets. Also in the unlikely event that we or our assets are purchased, your information will also be one of the transferred assets.

When we share your data with our service providers, your data may be processed or stored both in and outside your country of residence and both in and outside the European Economic Area (EEA). In any case, your data may be transferred only to non-EEA countries offering adequate protection according to European law or under specific contractual arrangements to ensure adherence to European personal data protection rules and standards.

7. How long is your personal data stored for?

We keep your personal data for a limited period of time in line with our data retention policy. The specific retention period will vary according to the reason for processing your personal data. After this period, your data will be permanently erased or otherwise irreversibly rendered anonymous.

Your personal data are retained in accordance with the following criteria:

- for tax purposes we will retain the billing data about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers;
- for payment purposes we will retain the payment details (including Contact, Identity, Financial and Transaction Data) up to the certification of the payment and the completion of the relevant administrative-accounting formalities regarding your right of withdrawal and the terms applied for the disputing of the payment;
- for marketing purposes when you give us your consent, you can withdraw your consent at any time. We will consider your consent to be current for five years from your last interaction with any email that we send you with our website. In any case, we will reduce the number of marketing contacts after six months if you don't interact with us;

- when we use your personal data and browsing history to analyze your behavior in order to customize the website and to show you personalized sales offers, we will keep the data for analytical purposes until you ask us to delete it;
- when we use personal data for market research and satisfaction surveys, we will keep the data until you ask us to stop.

In some circumstances you can ask us to delete your data: see Request erasure below for further information.

In some circumstances we may anonymize 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.

8. Where do we store your personal data?

We store your data on servers located in the United States and managed by a service provider who is a member of the EU-US Privacy Shield framework

9. What are your 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 services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please [Contact us](#) or email us at support@xxxexclusive.com.

10. Miscellaneous

Confidentiality of password and ID. Where we have given you (or where you have chosen) a password or user ID code which enables you to access certain parts of the website, you are responsible for keeping the password or user ID code confidential. We ask you not to share a password or user ID code with anyone.

Security. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to the website; any transmission is at your own risk. Once we have received your information, we will use procedures and security features to try to prevent unauthorized access.

Links. The website may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

Profiling. Note that we do not use automated decision-making, including profiling which produces legal effects concerning you or similarly significantly affects you.

11. Final provisions

Questions. If you have any questions about this privacy policy then please email us at support@xxxexclusive.com.

Changes to this privacy policy. We keep our privacy policy under regular review and will post any changes to it on our website. We encourage you to regularly review this privacy policy to make sure you are always aware of what information we collect, how we use it and under what circumstances, if any, we may share it with other parties.

Cookies Policy

We may collect information about your computer or mobile device by using Cookies. If you use our site you are consenting to the use of Cookies as explained here.

Cookies are small text files that are placed on your computer by websites that you visit and provide statistical data to us, that does not identify you personally but can tell us a lot about your browsing habits to tailor your user experience to suit your needs. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. We use cookies to enhance our security, help us gather information during subscription and understand our web traffic trends.

They help us to improve the Site and to deliver a better and more personalized service.

They enable us:

- To estimate our audience size and usage pattern.
- To store information about your preferences, and so allow us to customize the Site according to your individual interests.
- To speed up your searches.
- To recognize you when you return to the Site.
- To provide anonymous statistical information: Non-personal data may be gathered on our behalf using cookies, log file data, and code that is embedded on our websites by specific third party partners. We use this non-personal information to help improve the services we provided to you.

When you visit the publicly available sections of the Site, a session ID cookie is placed on your computer that only lasts while you're visiting. We also place persistent cookies (also known as local storage devices) on users' computers, so that we remember them to make your login in process faster and easier. You may set your browser to block cookies and local storage devices, but if you do so, you may not be able to access all of the features of the Site.

Cookie Functions, Cookie Purposes, Analytics and research

We use the information collected by Google Analytics to compile reports and to help us improve the site. The cookies collect information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from and the pages they visited.

Authentication

These cookies help us to identify our users so that when you're logged in, you can enjoy all of the features without having to continually log in – our Site “remembers” you and allows you full access without the need to keep entering your log in details.

Security and site integrity

We may use cookies and other devices, such as CAPTCHAs, to help keep the Site and our users safe and secure by protecting the Site from fraud and spam attacks to keep your data safe.

Site features and services

These cookies and local storage devices provide the functionality that our user enjoy, such as uploading of photographs, chats, instant messaging, your account settings etc. We also use cookies to help provide experiences, such as links to other social media sites, social plugins and video content, including making it easier for you to share content between the Site with your other favourite social networks. In some cases, the site feature you choose may allow a third party to place cookies or local storage devices on your computer. The third party who places cookies on your device is responsible for how they process their data you should always read their privacy policies. Third parties who place cookies on your device when you use the Site include Twitter and Facebook whose own privacy policies apply.

Performance

We need to use certain cookies and local storage devices to ensure our users have the best possible experience, such assisting with your navigation of our site, ensuring pages load up quickly and respond faster to your requests for our Site and Services.

For further information about cookies visit: <http://www.aboutcookies.org>

Changes to our cookie policy

We keep our cookie policy under regular review and will post any changes to it on our website. We encourage you to regularly review our cookie policy to make sure you are always aware of what information we collect, how we use it and under what circumstances, if any, we may share it with other parties.

Questions

If you have any questions about this cookie policy then please contact us us at support@xxxexclusive.com.