

## Privacy and Data Protection Policy

*Last updated on: 28.08.2024*

Kondiment may share the data of those users (“Users”) who register on the website Retell.media (the “Platform”) for the purpose of offering the services requested by Users through the Platform.

This privacy policy provides information on the processing of the personal data of our Users, as provided in the General Data Protection Regulation (“GDPR”).

In accordance with the provisions of the applicable legislation, the following identification details of the Platform owner are provided below:

- KONDIMENT WORLDWIDE SRL, registered in Bucharest, Romania, at the address: Constantin D. Stahi St. no. 9, district 1, Bucharest, Romania, registered under no. J40/2418/27.02.2014.

### Processing of Data of Users

#### 1. Data Processed

##### **a) Information supplied directly by Users:**

- *Registration Data*: the information provided by Users when they create an account on the KONDIMENT Platform: e-mail address.
- *Additional information that Users wish to share*: any information that a User could supply to KONDIMENT for other purposes. *Information about previous communications with KONDIMENT*: KONDIMENT will have access to the information supplied by Users for the resolution of any queries or complaints about the use of the platform by e-mail.
- Information about conversations held between the USER and KONDIMENT via e-mail for the processing of incidents, queries or any other consultations that may be made.

##### **b) Information indirectly supplied by Users:**

- *Data arising from the Use of the Platform*: KONDIMENT collects the data arising from Users’ Use of the Platform every time they interact with the Platform.

- *Data on the device*: KONDIMENT stores data on the device used by Users to access the services. This data is:

- The IP address used by each User to connect to the Internet using his/her computer or mobile phone.
- Information about his/her computer or mobile phone, such as his/her Internet connection, browser type, version and operating system, and type of device.
- The full uniform resource locator (URL) Clickstream, including date and time.
- The User's browsing history.

- *Data arising from the User's origin*: if a User arrives at the KONDIMENT Platform through an external source (such as a link from another website or a social network), KONDIMENT collects data on the source from which the KONDIMENT User arrived.

- *Data resulting from the management of incidents*: if a User contacts the KONDIMENT Platform, KONDIMENT will collect the messages received in the format used by the User and may use and store them to manage current or future incidents.

- *Data arising from "cookies"*: KONDIMENT uses its own and third-party cookies to facilitate browsing by its users and for statistical purposes.

- *Data resulting from external third parties*: KONDIMENT may collect personal data or information from external third parties only if the User authorizes such third parties to share that information with KONDIMENT. For example, if a User creates an account through their Google account, Google could disclose to us the personal data of that User that can be found on his/her Google profile (such as name, gender or age).

Similarly, if a user accesses KONDIMENT through products and services offered by Google, Google may send the User's browsing data to KONDIMENT, with access to the platform through the links created by Google.

The information provided by the external third party may be controlled by the User in accordance with the third party's own privacy policy.

## **2. Purpose**

### **2.1. To use the Kondiment Platform**

KONDIMENT uses the data collected from Users to enable them to access and communicate with the KONDIMENT platform and to provide the services requested by them through their account on the KONDIMENT Platform, in accordance with the procedure described in the [Terms of Use](#).

### **2.2. To send communications**

KONDIMENT uses Users' personal data to communicate via e-mail relating to the operation of the service.

### **2.3. To detect and investigate fraud and possible criminal offences**

KONDIMENT also uses the information to research and analyze how to improve the services it provides to Users, as well to develop and improve the features of the service it offers. Internally, KONDIMENT uses the information for statistical purposes in order to analyze User behavior and trends, to understand how Users use the KONDIMENT Platform and to manage and improve the services offered, including the possibility of adding new, different services to the Platform.

KONDIMENT may monitor all actions that could result in fraud or in the commission of a criminal offense relating to the means of payment employed by users. KONDIMENT may ask users for a copy of their ID card as well as for certain information on the credit card used to buy tokens on the Platform. In any event, all data will be processed by KONDIMENT for the sole purpose of fulfilling its fraud prevention and monitoring functions, and it shall be stored for as long as its relationship with the user concerned remains in force, and even after this time until the user's right to make claims or take legal action relating to payment for the services ordered through KONDIMENT has expired. The data relating to the credit card used will be retained until the incident has been resolved and for 120 days thereafter. If any irregularities in its use that could be considered illegal activities are detected, KONDIMENT reserves the right to retain the data provided and to share it with the competent authorities in order to carry out the relevant investigation. KONDIMENT may share the data with the authorities based on the legal obligation to prosecute conducts that are contrary to the applicable law.

### **2.4. To comply with the legislation and bring and defend legal actions**

KONDIMENT informs the user that conversations with the KONDIMENT may be reviewed and used by KONDIMENT for the purpose of filing and/ or defending any claims and/or legal actions that may be necessary, as well as to manage any incidents arising in connection with using the Platform.

### **2.5. Promotion and commercial offers (on-line and off-line)**

KONDIMENT uses third-party technology integrated in its Platform for the purpose of collecting Users' data and preferences and using this with CRM systems and advanced technology for the benefit of Users. The following processing will thus be carried out on their data through the information collected:

KONDIMENT may send e-mails with promotional messages and/or offers relating to the service offered by it that may be of interest to Users. Kondiment may gauge and personalize such advertising in accordance with its Users' preferences. If a Kondiment User does not wish to

receive this information and/or commercial communications, he/she may at any time opt to “Unsubscribe” in the e-mail, and KONDIMENT will immediately stop sending the aforementioned information.

## **2.6. For statistical and service analysis purposes**

KONDIMENT uses the information for statistical purposes in order to analyze User behavior and trends, to understand how Users use the KONDIMENT Platform and to manage and improve the services offered, including the possibility of adding new, different services to the Platform.

KONDIMENT also uses the information to research and analyze how to improve the services it provides to Users, as well to develop and improve the features of the service it offers.

## **3. Legal Basis of Processing**

Users’ data is processed in accordance with the following legal bases:

- To perform the contractual relationship following Users’ registration on the Platform (for example, processing their data to deliver an order placed).
- On the basis of our own legitimate interest (such as monitoring for the prevention of fraud through the Platform).
- To fulfil our legal obligations (such as when competent authorities request data in connection with court investigations and/or with the filing of the necessary actions to protect KONDIMENT’s interests).
- Express consent for the disclosure of users’ data to third parties for the purpose of making commercial communications.

## **4. Recipients of the Data**

KONDIMENT warrants that all commercial partners, technicians, suppliers or independent third parties are bound by contractually binding promises to process the information shared with them in accordance with KONDIMENT’s indications, this Privacy Policy and the applicable data protection legislation. We will not disclose your personal data to any third party who does not act under our instructions, and no communication will involve selling, renting, sharing or in any other way revealing customers’ personal information for commercial purposes in breach of the commitments made in this Privacy Policy.

### **4.1. When carrying out an order, data may be shared with:**

- The Mandatory who carries out the task of collecting and delivering the product.
- The establishment or venue in charge of selling the product, if the User has requested the purchase of a product. If a User contacts the above-mentioned providers directly and gives them his/her data directly, KONDIMENT will not be responsible for the providers’ use of such data.

- The Customer Care Services contracted by Kondiment for the purpose of warning the User of any possible incidents or asking why negative feedback has been given for the service. KONDIMENT may use the data provided in order to manage any incidents that may occur during the provision of the services.
- The payment Platform and payment service providers so that the amount can be charged to the User's account.
- Telecommunications service providers, when they are used to send communications regarding orders or incidents relating to orders.
- Providers rendering satisfaction survey services on KONDIMENT's behalf.

#### **4.2. Sharing User data with third parties**

In order to continue providing the services offered through the Platform, KONDIMENT may share certain personal data of Users with:

- Security companies and Law Enforcement Forces and Agencies: KONDIMENT may disclose personal information and data on its customers' accounts if it believes that such disclosure is necessary to comply with the law, to enforce or apply the "Terms of Use" or to protect KONDIMENT's, its users' or third parties' rights, property or safety. The above therefore includes the exchange of information with other companies and organizations as well as with Law Enforcement Forces and Agencies to protect against fraud. After being required to do so by law, KONDIMENT may share information with bodies of executive authorities and/or third parties in relation to requests for information relating to criminal investigations and alleged illegal activities.
- Companies in the KONDIMENT group: In order to be able to provide its services, KONDIMENT may transfer certain personal data of Users to subsidiaries, based on the geographical area from which users request our services. Users are hereby informed that, when they register on the Platform from any country in which KONDIMENT operates, their data will be stored on KONDIMENT's database, which is located in Ireland and belongs to the Spanish company KONDIMENT. In the case of subsidiaries located outside the EEA, the data will be transferred, using the systems established by the European Commission and the GDPR, to countries with an appropriate personal data protection level or through contracts approved by the European Commission establishing and guaranteeing the rights of data subjects.
- Third parties associated with KONDIMENT for the purposes of commercial communications: Kondiment may, with a User's express consent, transfer his/her personal data to third parties associated with Kondiment, provided that the User has given his/her express informed and unequivocal consent to such transfer of data and is aware of the purpose and recipient of such transfer.
- Changes of ownership: If KONDIMENT's ownership changes or the majority of its assets are acquired by a third party, Users are informed that KONDIMENT will transfer their data to the acquiring organizations in order to continue to provide the services subject to the processing of data. The new file controller will inform Users of its identification data. KONDIMENT states that it will comply with its duty of information to the relevant

Supervisory Authority in the event of such circumstances arising, and it shall inform Users of the change of file controller if and when this happens. This processing shall be carried out under the contract entered into with KONDIMENT.

KONDIMENT Users' data will not be disclosed to any third parties unless: (i) this is necessary in order to provide the services requested if KONDIMENT is collaborating with third parties; (ii) if KONDIMENT has the User's express and unambiguous authorization; (iii) where this has been requested by a competent authority pursuant to its functions (in order to investigate, prevent or take action in relation to illegal actions); or (iv) finally, where required by law.

## **5. International Data Transfers**

When choosing service providers, KONDIMENT may transfer users' data outside the borders of the European Economic Area. In such cases, KONDIMENT will ensure before sending the data that such service providers are in compliance with the minimum-security standards established by the European Commission and that they always process the data in accordance with KONDIMENT's instructions. KONDIMENT may have a contractual relationship with them under which the service providers agree to comply with KONDIMENT's instructions and to put in place the necessary security measures to protect Users' data.

## **6. Retention Periods**

Users' data will be retained during the performance and maintenance of the contractual relationship; i.e. for as long as they are KONDIMENT Users or until they exercise their right to restrict the processing of their data.

Once a User has cancelled his or her registration with the Platform, KONDIMENT will keep his or her data for the time established in the tax, health, criminal and any other legislation that may apply, for the purpose of filing and defending any actions to which KONDIMENT may be a party. KONDIMENT will in any event block Users' data so that it can only be consulted if an action has to be filed or defended in connection with it.

Regarding anonymous information, KONDIMENT will apply everything set forth in Recital 26 of the GDPR, according to which *"The principles of data protection should therefore not apply to anonymous information, namely information which does not relate to an identified or identifiable natural person or to personal data rendered anonymous in such a manner that the data subject is not or no longer identifiable. This Regulation does not therefore concern the processing of such anonymous information, including for statistical or research purposes."*

- **Exercise of Rights**

Users may exercise their rights free of charge at any time using the form available on the Platform. They may also exercise their rights by sending an e-mail to the following e-mail address: [support@retell.media](mailto:support@retell.media). The e-mail must specify which right they wish to exercise, as

well as, where applicable, the identifying data registered on the Platform. We will contact the User if we need additional data to that provided in order to verify his or her identity.

You may exercise the following rights vis-à-vis KONDIMENT:

- The right of access to your personal data in order to know which data is being processed and the processing operations carried out thereon;
- The right to correct any inaccuracies in relation to your personal data;
- The right to the erasure of your personal data, where possible;
- The right to request the restriction of processing of your personal data when the accuracy, legality or need for processing of the data is in question, in which case we may retain the data for the purpose of filing or defending claims.
- The right to object to the processing of your data in order to resolve any query you may have raised with us through the e-mail. In addition, you may withdraw your consent to the receipt of commercial communications at any time, through the Platform User profile, either by sending an e-mail or by using the link provided for this purpose in every commercial communication.

If you believe that KONDIMENT is in breach of data protection law, please do not hesitate to contact us at the e-mail address [support@retell.media](mailto:support@retell.media). telling us what you consider to be the case, so that we can resolve the problem as soon as possible. In any event, you may also report it to the applicable data protection agency and file a claim with the said body for the protection of your rights.

- **Security Measures**

KONDIMENT has taken the necessary steps recommended by the European Commission and the competent authority to maintain the required security level, according to the nature of the personal data processed and the circumstances of the processing, in order to avoid, to the extent possible and always in accordance with the state of the art, its alteration, loss or unauthorized access or processing. As mentioned above, the personal data supplied will not be disclosed to third parties without the data subject's prior authorization.

- **Notifications and Modifications**

As stated above, all Users have the right to access, update and erase their data, as well as object to its processing. You may exercise these rights, or make any enquiries in relation to KONDIMENT's Privacy Policy, through the [support@retell.media](mailto:support@retell.media).

Due to the constant evolution of KONDIMENT's activities, this Privacy Policy, the Cookie Policy and the Terms of Use are also subject to change. KONDIMENT will send Users notifications about substantial changes and modifications to such documents by e-mail or through any other method that ensures their receipt. In any case, KONDIMENT will in no event modify its policies

or practices to make them less effective in the protection of our Users' previously stored personal data.