

## PRIVACY POLICY

### Article 1 - Object

The present Privacy Policy is meant to define the terms of the services offered on the website accessible via <https://gigers.io/> and the mobile applications and digital tablets, present or future, exploited by the Company as designated in Article 2, as well as to define the rights and duties of the parties in that context. The Privacy Policy applies to any declination or extension of the Site on social networks, present or future.

The Privacy Policy is notably accessible and printable at any time through a direct link at the bottom of the Site homepage.

The present Privacy Policy, together with the general terms and conditions of use of the Gigers Site and Application, defines the exploiting company's policy concerning the collection and use of data provided by the users.

The present Privacy Policy is meant to inform you on the means that we use to collect your personal data, in the strict compliance with your rights.

In this regard, we inform you that in the collection and management of your personal data, we comply with the French law n° 78-17 of January, 6<sup>th</sup> 1978 relating to data processing, files and freedoms, in its current version, and with the Regulation (EU) 2016/679 of the European Parliament and Council of April, 27<sup>th</sup> 2016 relating to the protection of individuals with regard to the processing of personal data and the free movement of such data entering into force on May, 25<sup>th</sup> 2018.

### Article 2 – Owner of the services

The services are exploited by the company **GIGERS** « société par actions simplifiée », with a capital of 10,000 euros, registered with the Registry of Commerce and Companies of Melun under the number 829 279 272, whose registered office is located 462 Rue Benjamin Delessert, BP 83, 77552 Moissy-Cramayel Cedex, France (hereinafter: « **GIGERS** »).

GIGERS can be contacted using the contact details provided below:

Address: GIGERS  
462 rue Benjamin Delessert  
BP 83  
77552 Moissy-Cramayel Cedex  
FRANCE

Email: [contact.us@gigers.io](mailto:contact.us@gigers.io)

### **Article 3 – Definition and nature of the personal data**

When using the Site and/or Application, we may ask you to communicate personal data concerning yourself.

The term « personal data » designates all the data that permit to identify an individual, notably, surnames, names, pseudonyms, pictures, postal address, e-mail address, telephone numbers, birth date, data relating to your transactions onto the Site and/or Application, details of your purchases and subscriptions, credit card numbers, IP address, geographical location data based on the IP address, service access times, statistics on page views as well as any information on yourself that you chose to communicate.

### **Article 4 – Requirement to accept the Privacy Policy**

The acceptance of the present Privacy Policy is materialized by a checkbox in the registration form. This acceptance can only be a full one. It concomitantly applies to (i) the general terms and conditions, (ii) the specific conditions if they exist, and (iii) the cookies.

Any conditional acceptance will be considered null and void. The user who does not accept to be bound by the present Privacy Policy should not be using these services.

### **Article 5 – Collection of your personal data**

Your personal data are collected for the following purposes:

- manage your access to certain services accessible on the Site and on the Application,
- carry out operations of management of clients in relation with contracts, orders, deliveries, bills, fidelity programs, custom relations monitoring,
- elaborate a file of registered members, users, clients and prospects,
- address newsletters, solicitations and promotional messages. In the event where you would refuse the latter, we give you the option to express your refusal.
- elaborate commercial statistics of visits of our services,
- organize contests, lotteries and promotional operations except online gambling activities subject to the approval of the Regulation Authority of Online Games,
- manage the opinions of users on our services or content,
- service development and research,
- manage overdues and hypothetical litigation in relation with the use of our services,
- respect our legal and regulatory obligations.

When we are in the process of collecting your personal data, we always inform you whether certain information is compulsory or optional. We also indicate the eventual consequences of an absence of answer.

### **Article 6 – Recipients of the collected data**

The employees of our company, the services in charge of the control (notably the auditor) and our subcontractors will have access to your personal data.

Currently, our subcontractors include:

- Website hosting and database: Heroku, Inc. headquartered at 650 7th St, San Francisco, CA, 94103, United States. Contact: <https://www.heroku.com/contact>. Heroku mother company is Salesforce.com, Inc. We use Heroku services to host our website and store your data in our database. Personal data of Gigers' users are hosted by Heroku Europe. Information about the compliance of Heroku services with the GDPR can be found here: <https://www.salesforce.com/gdpr/overview/>  
Heroku also provides a Data Processing Addendum (DPA) explaining its commitments for GDPR and showing its EU/US Privacy Shield Certification: [https://www.salesforce.com/content/dam/web/en\\_us/www/documents/legal/Agreements/data-processing-addendum.pdf](https://www.salesforce.com/content/dam/web/en_us/www/documents/legal/Agreements/data-processing-addendum.pdf)
- Newsletters and emailing: MailChimp (<http://www.mailchimp.com>). MailChimp is owned and operated by The Rocket Science Group LLC. We use MailChimp services to create and use distribution lists as well as send marketing email campaigns, our newsletter and information about updates to our Terms and Conditions and Privacy Policy. Thus, your personal data will be transferred to MailChimp, processed by MailChimp and stored within our MailChimp account in order to allow us to perform these activities. Note that your personal data will also be transferred to certain of MailChimp's sub-processors (who, as described in their Data Processing Agreement, perform some critical services, such as helping MailChimp prevent abuse and providing support to their customers). MailChimp has an EU/US Privacy Shield Certification.  
Link to MailChimp's Privacy Policy: Privacy Policy  
Link to MailChimp's Terms and Conditions: Terms  
Link to MailChimp's Data Processing Agreement (signed by Gigers): [https://mailchimp.com/legal/forms/data-processing-agreement/?\\_ga=2.250223299.457572331.1526733851-35424849.1526588091&\\_gac=1.128916862.1526595523.Cj0KCQjw0PTXBRCGARIsAKNYfG1yfseRwKi2OjEVQPPigRK44OauQLsTcEXnN28nC97fEIHc-iREviAaApnAEALw\\_wcB](https://mailchimp.com/legal/forms/data-processing-agreement/?_ga=2.250223299.457572331.1526733851-35424849.1526588091&_gac=1.128916862.1526595523.Cj0KCQjw0PTXBRCGARIsAKNYfG1yfseRwKi2OjEVQPPigRK44OauQLsTcEXnN28nC97fEIHc-iREviAaApnAEALw_wcB)
- Storage of profile pictures: Amazon Web Services, Inc. (AWS). AWS is owned by Amazon.com, Inc. We use AWS to store our users' profile picture. They are stored in Europe. You can find more information about AWS' compliance with the GDPR and their EU/US Privacy Shield Certification here: [https://aws.amazon.com/fr/compliance/gdpr-center/?sc\\_medium=AW\\_AWNS\\_FMM\\_GDPR\\_b\\_041018&trk=70150000000mkld&s\\_kwcid=AL!442213!265883160903!b!!g!!%2Baws%20%2Bgdpr&ef\\_id=Wv3irAAAArAu9xKk:20180520222127:s](https://aws.amazon.com/fr/compliance/gdpr-center/?sc_medium=AW_AWNS_FMM_GDPR_b_041018&trk=70150000000mkld&s_kwcid=AL!442213!265883160903!b!!g!!%2Baws%20%2Bgdpr&ef_id=Wv3irAAAArAu9xKk:20180520222127:s)
- Analysis of visits on our website and establishment of statistics: we use Google Analytics services from Google, LLC. Google is owned by Alphabet, Inc. We use their services to measure audiences on our website and establish statistics about the number of visits and the use of our Services. In order to be able to use this service, Gigers has signed Google Analytics' Data Processing Agreement.
- Website design and development: Jupigiox, LDA, a company with a capital of 3,000 euros, registered in Portugal under the number 513990780, whose registered office is located at Rua Luis de Ataide nr 34 RC, 2860-015 Alhos Vedros, PORTUGAL. We use their services to help us in the design and development of our current website and future services. We work with them under strict contracts by which they agree to deal with the data they have access to with strict compliance with the GDPR requirements. These contracts are limited in time and they only have a limited access to your personal data. Upon termination of the contracts we have with them, all their access to your private data will be removed.

We don't sell your personal data to third-parties.

Public bodies can also be recipients of your personal data, exclusively to answer to our legal obligations, as well as court officers, ministerial officers and the institutions in charge of collecting debts.

### **Article 7 – Duration of storage of personal data**

- About the data relating to the management of clients and prospects:

Your personal data will not be kept beyond what is strictly necessary for the management of our commercial relationship with you. However, the data that permit to establish proof of a right or a contract, that have to be retained in accordance with legal obligations, will be kept in accordance with the duration provided by the law.

Concerning hypothetical operations of prospection of clients, their personal data will be retained for a maximum of 3 years from the end of their commercial relationship.

Personal data relating to a prospect, non-client, will be retained for a maximum of 3 years from their collection or from the last contact emanating from the prospect.

At the end of this delay of three years, we will be able to contact you to find out if you wish to continue our commercial relationship.

- About the management of lists of persons refusing to receive ads:

The information permitting to consider your right of opposition are kept for at least 3 years from the date of exercise of the opposition.

- About the statistics of audience measurement:

The information stored in the terminal of users or any other element used to identify the Users and permitting their tracing or frequentation will not be kept after 6 months.

### **Article 8 - Safety**

We inform you that we take any useful precautions, organizational measures and appropriate techniques to preserve the safety, the integrity and the confidentiality of your personal data and notably, prevent that the latter be distorted, damaged or that unauthorized third parties have access to them.

We use or may use secure payment systems in conformity with the state of art and the regulations in effect.

### **Article 9 – Cookies**

#### **9.1 – What is a Cookie?**

Cookies are text files, often encrypted, stocked in your browser. They are created when the browser of a user downloads a given website: the website sends data to the browser that creates a text file. Each

time the user comes back on the same website, the browser recovers the same file and sends it to the server of the website.

The use of a cookie requires your prior consent. By continuing to use our Services or to navigate our website, you agree to the use of cookies by us and by third-parties, as described in the present Privacy Policy.

## 9.2 – What Cookies do we use?

Cookies are used in order to:

- Enable the proper functioning of our website
- Facilitate your navigation
- Access your personal profile
- Analyse the use of our website and establish statistics
- Analyse the performance of our emailing campaigns

They can be used by us or third-parties.

Here are the cookies we use:

- Cookies used by Gigers: they are used to track your sessions log in and log out and enable you to access your user profile as well as to track if you accepted to receive cookies or not. They are necessary for the website to work properly.
- Google Analytics: they are used to measure audiences on our website and establish statistics about the number of visits and the use of our Services.
- Facebook login: they are used to enable you to connect through your Facebook account. The only information that are transferred to Gigers are you email, first name and last name.
- LinkedIn login: they are used to enable you to connect through your LinkedIn account. The only information that are transferred to Gigers are you email, first name and last name.
- Google + login: they are used to enable you to connect through your Google + account. The only information that are transferred to Gigers are you email, first name and last name.
- MailChimp: we use MailChimp to send you emails (like our newsletter). When we do this, MailChimp automatically places single pixel gifs, also known as web beacons, in every email sent. These are tiny graphic files that contain unique identifiers that enable MailChimp and us to recognize when you have opened an email or clicked certain links. These technologies record your email address, IP address, date, and time associated with each open and click for a campaign. MailChimp uses this data to create reports for us about how an email campaign performed and what actions you took.

## 9.3 – Duration of storage

Cookies are stored for a maximal duration of thirteen (13) months from the date they are put in your terminal. After 13 months, your consent will again be required.

## 9.4 – How to refuse cookies?

We remind you that you can oppose the deposit of cookies by configuring your browser. However, such a refusal could prevent the proper functioning of the Site. Thus, Gigers is not responsible of the fact that you can't access our Services because you refused cookies that are necessary to the proper functioning of our Services.

You can configure your browser in order to deactivate cookies. Each browser configuration is different and you should consult the terms and conditions of your browser in order to determine how you can change your consent regarding cookies use.

In order to help you doing this, we provide the following links:

- Microsoft Internet Explorer: <http://windows.microsoft.com/fr-FR/windows-vista/Block-or-allow-cookies>
- Google Chrome : <http://support.google.com/chrome/bin/answer.py?hl=fr&hlrm=en&answer=95>
- Safari: [https://support.apple.com/kb/PH21411?viewlocale=fr\\_FR&locale=fr\\_FR](https://support.apple.com/kb/PH21411?viewlocale=fr_FR&locale=fr_FR)
- Safari iPhone / iPad : <https://support.apple.com/fr-fr/HT201265>
- Firefox: <http://support.mozilla.org/fr/kb/Activer%20et%20d%C3%A9sactiver%20les%20cookies>
- Opéra: <http://help.opera.com/Windows/10.20/fr/cookies.html>

Some browsers also propose a “Do not Track” option.

In order to modify your parameters regarding cookies about audience measures and statistics, we provide the following link:

- Google Analytics: <https://tools.google.com/dlpage/gaoptout?hl=fr>

We inform you that this is not a comprehensive list. If you want more information and advices, you can consult the following link from the French CNIL: <http://www.cnil.fr/vos-droits/vos-traces/>.

### **Article 10 - Consent**

When you choose to communicate your personal data, you expressly give your consent for the collection and the use of the latter in accordance with what is specified in the present Privacy Policy and with the laws and regulations in application.

### **Article 11 – Access to your personal data**

In accordance with the French law n° 78-17 n° 78-17 of January 6, 1978 on software, data and liberties, in its current version, and with the Regulation (EU) 2016/679 of the European Parliament and Council of April, 27<sup>th</sup> 2016 relating to the protection of individuals with regard to the processing of personal data and the free movement of such data entering into force on May, 25<sup>th</sup> 2018, you have the right to obtain the communication, the rectification or the deletion of the data that concern yourself, through an online access to your file. You can also contact:

- postal address: GIGERS  
462 rue Benjamin Delessert  
BP 83  
77552 Moissy-Cramayel Cedex  
FRANCE

- email address: [contact.us@gigers.io](mailto:contact.us@gigers.io)

We remind you that anyone can, for legitimate motives, oppose the use of data that concern himself/herself.

### **Article 12 - Modifications**

We reserve the right, at our sole discretion, to modify at any time the present Privacy Policy, either entirely or partially. These modifications will enter into force from the date of the publishing of the new Privacy Policy.

Your use of the Site and of the Application following the date of entry into force of these modifications will amount to your acceptance of the new Privacy Policy. In the event where the new Privacy Policy would not suit your liking, you should not access the Site and Application any longer.

### **Article 13 – Nomination of a Data Protection Officer (DPO)**

In the frame of the entry into force of the General Data Protection Regulation (EU) n°2016/679 of the European Parliament and Council of April, 27<sup>th</sup> 2016 entering into force on May, 25<sup>th</sup> 2018, GIGERS has nominated, in the frame of the creation and deployment of its Application, the lawyer agency WYZER LAW, a simplified joint-stock private company, whose headquarter is located at 11 bd de Sébastopol 75001 PARIS, represented by Maître Philippe PRADAL, lawyer recognized by the Paris bar, as Data Protection Officer from March, 29<sup>th</sup> 2018 (nomination n°DPO-261).

### **Article 14 – Entry into effect**

The present Privacy Policy entered into effect on May, 21<sup>st</sup> 2018.