

Privacy Policy

ARTICLE 1 - Definitions

- **Platform** is used to designate the infrastructures developed by Fysiki, which include various types of data, including texts, audio, still or animated images, videos and databases to be used by users and available on the Fysiki Mobile and Internet platforms;
- **Personal data, special categories of data, processing/process** have the same meaning as in directive 95/46/EC of the European Parliament and the Council of October 24, 1995, relating to the protection of natural persons with regard to the processing of personal data and the free circulation of these data;
- The **Data Controller** is the entity which collects and processes nominative information (personal data);
- **Recipients** refer to any person authorized to receive data, other than the Data Controller, the subcontractor or those persons who, due to their responsibilities, are tasked with processing the data;
- **Authorized Third Parties** are those agencies which are legally authorized, as part of a specific assignment or the exercise of the right of communication, to ask the Data Controller to provide them with personal data;
- **Person Concerned**: any natural person to whom the personal data thus processed relates;
- **Processing of personal data** is used to designate any operation or set of operations which is performed upon personal data, irrespective of the process used, including the collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

ARTICLE 2 - Scope of application

The purpose of this privacy policy (hereafter referred to as the "Policy") is to inform the Persons Concerned how their personal data are collected and processed by Fysiki.

ARTICLE 3 – Identity of the Data Controller

Personal data are collected by Fysiki, a company with equity capital of €28142.90, registered at the Colmar Register of Commerce and Companies under the number 533-648-200-00020 and with its registered office at 10 Place de la gare 68000 Colmar France, represented by Mr Julien LAVAULT, the company chairman.

ARTICLE 4 - Processing of personal data

Fysiki may collect personal information about you, as part of its platform operations.

These data are processed in accordance with the purposes for which the data are collected, being:

- the proper operation of the platforms with regard to their functionalities ;
- operations relating to customer management, customer development, to the sale, rental or exchange of the existing and potential client database and drawing up statistics relating to customer visits;
- the carrying out of the contract to which the user is, where applicable, a part;
- the storage and transmission of his/her login details, in compliance with articles II and II *bis* of law no. 2004-575 of June 21, 2004 to support confidence in the digital economy;
- the display of targeted advertising, based on data collected when your account is created.

Should the data be used for any other purposes, Fysiki undertakes to obtain the prior consent of the Persons Concerned before the data are processed.

The form through which data are collected will indicate with a star which of those data are optional and which are mandatory. Persons Concerned will be informed of the possible consequences of any failure to give the information requested.

Fysiki shall, in any event, undertake to process the collected data in compliance with the French law no. 78-17 of January 6, 1978, amended August 6, 2004.

ARTICLE 5 - Rights of Persons Concerned

Persons Concerned are entitled to access, rectify and oppose the processing of their personal data, except when such processing is a legal requirement. These rights can be exercised, in compliance with law no. 78-17 of January 6, 1978, amended August 6, 2004 by providing proof of identity and legitimate grounds and sending an email to the following address: support@fizzup.com.

ARTICLE 6 - Anonymization

All collected data are stored a format allowing for the identification of the Persons Concerned for a period commensurate with fulfilling the purposes for which the data are collected and processed. Fysiki will anonymize the data as soon as processing has been completed or the user's account has been closed, unless otherwise stipulated by the law or existing regulations.

ARTICLE 7 – Transfer of personal data

Personal data collected through the platforms are reserved exclusively for Fysiki, who may communicate the personal data of the Persons Concerned in order to provide support, perform satisfaction surveys and carry out statistical studies. Any communication of personal data is performed in compliance with the rules of anonymization set out in article 6 "Anonymization".

Fysiki also reserves the right to transmit personal data of the Persons Concerned in order to meet legal requirements, especially when required to do so by a judicial authority.

Fysiki hereby informs you that your data may be transferred outside the European Union. Should this be the case, Fysiki undertakes not to transfer such data out of the European Union without the prior written consent of the customer and on condition that the Recipient country offers a suitable or sufficient level of protection, in line with article 68 of French law no. 78-17 of January 6, 1978, amended August 6, 2004.

ARTICLE 8 - Login information

Users are informed that Fysiki, pursuant to articles II and II of French law no.2004-575 of June 21, 2004 for supporting confidence in the digital economy, will store and transmit their login information for the sole purpose of allowing the judicial authority to identify those persons who have contributed to the creation of online content on the platforms, and also to national law-enforcement agencies and those involved in counter terrorism.

ARTICLE 9 - Security

Pursuant to articles 34 and 35 of French law no.78-17 of January 6, 1978 amended August 6, 2004, Fysiki takes all the necessary technical and organizational steps required to ensure the security and confidentiality of all personal data collected and processed and to prevent the said data being distorted, damaged or communicated to unauthorized third parties, by maintaining a level of security commensurate with the risks relating to the processing and type of data requiring protection, in line with the technological level and the cost of implementation.

ARTICLE 10 - Applicable law and settlement of disputes

This Privacy Policy is subject to French law.

If any provision of this Privacy Policy is held invalid or declared as such through the application of a law or regulation or following a ruling handed down by a competent court, the remaining provisions will remain in force.

Should any disputes arise in connection with the interpretation or the performance of this Privacy Policy, the parties will try to reach an amicable conclusion and will agree to go through arbitration before undertaking legal proceedings. Should no agreement be found, any dispute arising from the interpretation or performance of this Privacy Policy will be referred to the courts of Colmar (France).