



## IQN App Privacy Policy (the "Privacy Policy")

*Last reviewed on 20 August 2019*

### 1. Who we are?

IQNautics B.V. is a Dutch legal entity, duly formed and existing under the laws of the Netherlands, with its registered office and billing address located in Smedestraat 2, 6411, CR Heerlen (the "**Company**" or "**we**"), and for the purposes of the data protection legislation which includes but it is not limited to the Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the "**GDPR**"), we are the "data controller" with respect to your personal data collected and processed via our app (the "**IQN App**").

### 2. Scope of the Privacy Policy

2.1 This Privacy Policy contains information about what happens to the personal data that we collect from you directly or indirectly and that we process during your interaction and use of the IQN App. It describes the categories of personal data we collect, how your personal data is processed, for what purposes we process your data and how your privacy is safeguarded in the course of our relationship with you.

2.2 For the purposes of this Privacy Policy you are the data subject in accordance with the definition provided to this notion by the GDPR and we shall refer to you either as "**you**" or "**user**".

### 3. How do we obtain your personal data?

3.1 We obtain your personal data via third party platforms such as Facebook and Google when you register on the IQN App with your Facebook or Google account in order to create an account on the IQN App.

3.2 We may obtain your personal data such as your location or your contacts' information regarding accounts joining the same flotillas as you automatically when you use the features of the IQN App in this regard.

3.3 Additionally, we may also obtain data from third parties' tools such as Google Analytics however the data received in this manner is not associated with a particular user therefore, they may be considered anonymized data.

### 4. Types of personal data collected, purposes and legal basis

4.1 The Company collects the following personal data from and about you for several purposes and in accordance with different legal basis as detailed below:



Type of personal data	Purpose for processing	Legal basis
1) Your name and email address	<p>We need this information in order to provide you access to the platform in the IQN App via a registered account, to allow you to contact other users of the IQN App, for invitations to join flotillas in the IQN App and to contact you.</p> <p>We will use your name and email account in order send you emails via our third-party service provider SendGrid Inc.</p>	<p>Processing is necessary to take steps to enter into the contract between you and the Company and to perform that contract because we will need contact information to provide you access to our IQN App and its features.</p> <p>The rest of the processing of these data is necessary for the purpose of the legitimate interests pursued by the Company.</p> <p>The Company has a legitimate interest in ensuring the effective running of its services and to contact you in relation to the services delivered to you through the IQN App.</p>
2) You profile picture (if you decide to upload it)	<p>We may process this information if you decide to use this feature of the IQN App (i.e. showing your image via the profile picture). The purpose is to display this picture in the IQN App platform on the map and to make it visible to other users from the same flotilla. The profile picture is an optional information that you choose to provide us. The picture is deleted when you decide to delete your account on the IQN App.</p>	<p>The processing of this data is necessary for the purpose of the legitimate interests pursued by the Company.</p> <p>The Company has a legitimate interest in ensuring the effective running of its services and in providing you as many friendly features in the IQN App as possible. Offering you the possibility to show your profile picture in the IQN App is one of these features.</p>
3) Your location data while you use the IQN App	<p>We will process this information in order to display the device location on the map contained in the IQN App for the members of</p>	<p>Processing is necessary to take steps to enter into the contract between you and the Company and to perform that contract because we will need</p>



Type of personal data	Purpose for processing	Legal basis
	<p>the same flotilla, for the duration of a flotilla.</p> <p>This information is also necessary for:</p> <ul style="list-style-type: none"> <li>(i) calculating distances between same flotilla members.</li> <li>(ii) calculating the speed of a moving device (skipper, boat).</li> <li>(iii) calculating statistics such as: total distance since using the IQN App, current trip distance or personal bests (maximum speed).</li> </ul> <p>Once an account is created, this information is kept in the IQN App. The information is anonymised when you decide to delete your account based on your request.</p>	<p>information to provide you access to our IQN App and its features.</p> <p>The rest of the processing of these data is necessary for the purpose of the legitimate interests pursued by the Company.</p> <p>The Company has a legitimate interest in ensuring the effective running of its services delivered to you through the IQN App.</p>
<p>4) Your phone's contacts' information (i.e. name and email) for accounts joining the same flotillas</p>	<p>This information is processed when a contact of yours successfully accepts an invitation to join a flotilla in the IQN App or when you are sending out invitations to other users and they choose to join. This processing is necessary so that the users are associated in the platform as contacts, for future ease of use (re-inviting a user after becoming a contact is easier and there is no need to provide an email address again).</p>	<p>Processing is necessary to perform the contract with you and to provide you access to the features of the IQN App.</p> <p>The rest of the processing of these data is necessary for the purpose of the legitimate interests pursued by the Company.</p> <p>The Company has a legitimate interest in ensuring the effective and streamlined running of its services delivered to you through the IQN App.</p>



Type of personal data	Purpose for processing	Legal basis
5) Instance ID allocated to your device	We need to process this information via our third party service provider Firebase in order to send you push notifications, for various events from the IQN App including but not limited to sending invitations to join the flotilla, changing dates of a flotilla, cancelling a flotilla, leaving a flotilla, etc.). This Instance ID may not directly or indirectly lead to your identification therefore it may not be considered personal data.	<p>Processing is necessary to perform the contract with you and to provide you access to the features of the IQN App.</p> <p>The rest of the processing of these data is necessary for the purpose of the legitimate interests pursued by the Company.</p> <p>The Company has a legitimate interest in ensuring the effective and streamlined running of its services delivered to you through the IQN App.</p>
6) IP Address, browser type, log files, and other information about your system and connection.	This information is processed via our third-party service provider SendGrid for the purposes of sending emails to the IQN App's users when users access the links in a browser, outside the IQN App.	<p>Processing is necessary to take steps to enter into the contract between you and the Company and to perform that contract because we will need information to contact you.</p> <p>The rest of the processing of these data is necessary for the purpose of the legitimate interests pursued by the Company.</p> <p>The Company has a legitimate interest in contacting you.</p>
7) Anonymous analytics data for usage purposes and statistics	We process this information in order to perform usage and crash statistics of the IQN App and of its features in view of constantly improving your user experience within the IQN App.	This processing is based on the legitimate interest of the Company, which has a legitimate business interest in ensuring the effective and streamlined running of its services delivered to you through the IQN App and their constant improvement.



4.2 You are not obliged to provide us with your personal data. Nevertheless, should you choose not to provide us with your personal data some of the IQN App's functionalities may be unavailable for your use (for example, you will not be able to enter the IQN App without an account, you will not have access to the calculations and to the flotilla map, etc.).

4.3 We do not process any special categories of personal data relating to you such as any personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation, as well as personal data relating to criminal convictions and offences. We insist that you do not to include such information in any correspondence with us and not circulate such sensitive personal data on or through the IQN App or otherwise.

4.4 Where we have relied on your consent to process your personal data, you have the right to withdraw your consent at any time, without affecting the lawfulness of processing performed by the Company based on consent before its withdrawal.

4.5 We do not rely on automated decision making or profiling activities.

## **5. Who has access to your personal data?**

5.1 For purposes in line with those indicated in Section 4 of this Privacy Policy, the Company may share your personal data with third parties service providers that we entrusted with processing activities and appointed as processors, located within the European Union: cloud service providers, companies that provide IT services, experts and consultants, and/or Company's lawyers. These third-party service providers include Google Inc. and Facebook Inc., but they are not limited to these companies.

5.2 The list of the data processors appointed by the Company or other parties that may have access to your personal data may be requested the by contacting us at [office@iqnautics.com](mailto:office@iqnautics.com).

## **6. Security measures in relation to the processing of your personal data**

6.1 The Company is committed to protecting the security of the personal data you send and share with us. The Company uses a variety of technical and organisational methods to secure your personal data in accordance with applicable laws.

6.2 These include: application access secured via third party authentication providers such as Facebook login and/or Google login, database user passwords hashing, infrastructure security measures such as data encryption at rest and transmitted over isolated networks.

6.3 The list of the entire security measures put in place by the Company in relation to the processing of your personal data may be requested by contacting us at [office@iqnautics.com](mailto:office@iqnautics.com).

## **7. Transfers of personal data outside the EEA**



7.1. We use certain service providers based in the US which may have access to your personal data. In case these service providers have access to your personal and such access may be considered a transfer of personal data outside the EEA, we make sure that it occurs only subject to appropriate safeguards or with the observance of other legal requirement, as the case may be.

7.2 The third-party service providers that we use as referred to in section 7.1, including Facebook Inc., SendGrid Inc. and Google LLC., are based in the US and are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US. For more details, see the European Commission: EU-US Privacy Shield ([https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/eu-us-privacy-shield_en)).

## 8. Retention period

8.1 Your data will be retained only for the duration necessary to achieve the purposes for which the personal data was collected. In any case, the personal data collected for the purposes mentioned at Section 4 of this Privacy Policy is retained for the time necessary to provide you access to the IQN App and its features to which we have added the length of any applicable statute of limitation following the termination of your account on the IQN App.

8.2 In any event, we shall not keep your personal data for more than three (3) years after you decide to delete your account on the IQN App. At the end of the retention period your personal data will be cancelled, anonymized or aggregated.

## 9. What are your rights regarding your personal data?

9.1 You can lodge a complaint with the Dutch Data Protection Authority (Dutch DPA) which may be contacted at: **Autoriteit Persoonsgegevens, Postbus 93374, 2509 AJ DEN HAAG, telephone number: (+31) - (0)70 - 888 85 00, Fax: (+31) - (0)70 - 888 85 01.**

9.2 **Access Right:** You may ask the Company to: (i) confirm whether we collect or process your personal data; (ii) provide you with a copy of that personal data; (iii) give you with other information about your personal data such to the extent that information has not already been provided to you in this Privacy Policy.

9.3 **Rectification Right:** You may ask the Company to rectify your incorrect personal data. We may ask you to provide us with verification information to check the accuracy of the data before rectifying it. Considering the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

9.4 **Erasure Right:** You may ask the Company to delete your personal data. This will happen however only when: (i) it is no longer necessary for the purposes for which it was collected; or



(ii) you have withdrawn your consent (if the data processing was relied on your consent); or (iii) following a successful right to object (see Objection Right below); or (iv) it has been processed unlawfully; or (v) too comply with a legal obligation to which the Company is subject. However, please bear in mind that the Company is not required to comply with your request to delete your data if the processing of your personal data is required: (i) for compliance with a legal obligation; or (ii) for the establishment, exercise or defence of legal claims. There are certain other circumstances in which we are not required to comply with your erasure request, although these two are the most likely circumstances in which we would deny that request.

**9.5 Right to restriction of processing:** You may ask the Company to restrict (in other words to keep but not to use) your personal data, but only if: (i) the accuracy of the personal data is contested (see Rectification Right), to give us the opportunity us to check its accuracy; or (ii) the processing is illegal, but you do not want it deleted; or (iii) it is no longer needed for the purposes for which it was collected, however we still require such personal data to establish, exercise or defend legal claims; or (iv) you have exercised the objection right, and checking mandatory grounds is ongoing. The Company may continue to process your personal data even if a request for restriction was submitted, if: (i) we have your consent; or (ii) to establish, exercise or defend legal claims; or (iii) to protect the rights of another natural or legal person.

**9.6 Portability Right:** You may ask the Company to provide your personal data to you in a structured, commonly used, machine-readable format, or you may ask to have it 'ported' directly to another data controller, however in each case only if: (i) the processing is based on your consent or on the performance of a contract with you; and (ii) the processing is carried out by automated means.

**9.7 Objection Right:** You may object to any processing of your personal data which has our 'legitimate interests' as its legal basis, if you believe your fundamental rights and freedoms outweigh the Company's legitimate interests.

## 10. Exercising your rights

To exercise your rights you may contact us as set out in Section 12 however please note the following if you do wish to exercise these rights:

1. We need proof of your identity. We take the confidentiality of all records containing personal data seriously and reserve the right to ask you for proof of your identity if you make a request in respect of such records.
2. We will charge no costs: We will not ask for a fee to exercise any of your rights in relation to your personal data, unless your request for access to information is unfounded, respective repetitive or excessive, in which case we will charge a reasonable amount in the circumstances. We will let you know of any charges before completing your request.



3. We will respond within specific timeframes. We aim to respond to any valid requests within two (2) weeks unless your request is particularly complex, or you have made several requests, in which case we aim to respond within three (3) weeks.

#### **11. Updates to this Privacy Policy**

11.1 The Company may amend or/and update this Privacy Policy taking into account the manner in which the General Data Protection Regulation shall be construed or any decisions, opinions and guidance relating to the General Data Protection Regulation issued by specialize authorities.

11.2 We may also amend this Privacy Policy if and when we will decide to further process the personal data for a purpose other than that for which the personal data were collected. In this case we shall provide you prior to that further processing with information on that other purpose and with any relevant further information.

#### **12. Contact us**

If you have a complaint or concerns about how we use your personal data, please contact us at [office@iqnautics.com](mailto:office@iqnautics.com) and we will endeavour to resolve the issue as soon as possible.