



PRIVACY POLICY as of 30th June 2019

The Eugène App and Device are administered by UZER (hereafter referred to as « Uzer »), a simplified joint-stock company, with a share capital of 14 134 euros, whose head office is located 49, avenue de la République – 75011 Paris, registered in the Paris Trade and Companies Register under number 802 235 648

PREAMBLE

Ensuring the protection of Personal Data collected for the use and development of the Services subjects matter hereof, is of particular importance to Uzer.

In this context, Uzer agrees to follow the provisions of the current regulations regarding personal data protection and, more specifically, the Data Protection Act, in its current version at the time of the present policy and the EU Regulation 2016/679 of April 27th 2016, otherwise known as “GPDR”.

Consequently, Uzer offers its services in a secure and precise legal framework, after having implemented a Personal Data security process in order to reduce violation risks as much as possible and, in case of an incident, to be able to provide a quick and effective response.

Article 1 – OBJECT

The present Policy aims to familiarize the User with Uzer’s terms of Policy in effect, regarding the collection, use, processing, storage, and protection of the User’s collected Personal Data during the User’s use of Uzer’s services.

The Privacy Policy is part of the General Terms and Conditions, which the Users can find on the Website at the following address https://www.uzer.eu/GTC_Uzer.pdf

Article 2 – DEFINITIONS

- Personal Data:** any data which may enable User identification. Particularly the name and surname, age, address, email address, location of the User or IP address.
- DPO:** member of staff responsible for the processing of collected and sorted Personal Data (Data Protection Officer)
- App:** the Eugène app and all of its pages and screens
- Device:** the Eugène Device and all of its screens
- Website:** the website found at www.uzer.eu and the official social network pages

Services:	all services provided by Uzer, through use of the Website, App, Device, including simple browsing and past orders;
User:	any person using the Services
Cookies:	a small text file recorded on the user's computer hard drive when he/she visits websites. This file contains information relative to the user's browsing habits.

Article 3 – USER AGREEMENT

When using Uzer's Services, the User acknowledges having taken note of the present Policy and, as for the General Terms and Conditions, having understood and accepted its contents.

Article 4 – POLICY CHANGES THROUGH TIME

In order to satisfy its legal obligations regarding privacy and ensuring its Users a safe and efficient service, Uzer reserves the right to make changes to the present Policy.

The present privacy policy may be viewed at any moment at the following address: https://www.uzer.eu/Privacy_Policy_Uzer.pdf
User reserves the right to change it in order to guarantee its compliance to current regulations.

Consequently, the User is encouraged to regularly check this Privacy Policy to stay informed of the latest changes.

Article 5 – LEGAL FRAMEWORK REMINDER

5.1 Principles pertaining the processing of personal data

Article 5 of the EU Regulation 2016/679 of April 27th 2016, known as "GDPR", defines the principles pertaining the processing of personal data.

According to this text, roughly, the collection, processing and storage of Personal Data must obey the following principles:

- **Lawfulness, fairness, transparency:** the person whose Personal Data is collected must be informed (collection and purpose) and must agree to it;
- **Purpose limitation:** the purpose of the collection and processing of Personal Data must be legitimate and clearly stated;
- **Data minimization:** the collection must be limited to Personal Data necessary to the purpose for which they are treated
- **Accuracy:** measures must be adopted to allow for any modification, removal, rectification of the collected data which has become inaccurate;
- **Storage limitation:** the data is stored for a limited time, in compliance with the purpose of the processing, of which the person, object of the collection, is informed;
- **Integrity and privacy:** the member of staff responsible for processing must take all necessary actions for the protection of the collected and treated data.

5.2. Focus on lawfulness of the processing

Article 6 of EU Regulation 2016/679 of April 27th 2016, so-called “GDPR”, deals with the lawfulness of the processing.

In short, for the processing to be lawful, one of the following conditions must be met:

- The user whose Personal Data is collected and treated, for a determined purpose, has expressly agreed to it;
- The collection and processing are necessary to the execution of a contract;
- The collection and processing are the result of a legal obligation;
- The collection and processing are justified for the safeguard of a person’s vital interest;
- The collection and processing are necessary for the execution of a mission of public benefit or entrusted by public authority;
- The collection and processing are necessary for the carrying out of legitimate and private interests of the member of staff responsible for processing and a third party.

Article 6 – MEMBER OF STAFF RESPONSIBLE FOR DATA PROCESSING/DATA PROTECTION OFFICER (DPO)

6.1. Identification of the DPO

Uzer has designated Clément Castelli as the member of staff responsible for data processing (DPO).

He can be contacted, for any question:

- By mail, at privacy@uzer.eu
- By post : Société Uzer – Clément Castelli – 49, avenue de la République – 75011 Paris

6.2. Missions and methods of the DPO

The DPO’s main mission is to ensure that Uzer’s Privacy Policy and the means provided internally are in conformity and in adequacy with the current legal and regulatory requirements.

To do this, in particular, he :

- Defines the purposes and means of the processing;
- Decides which technical and organizational measures must be established to ensure and be able to prove, at any moment, that the processing is carried out in compliance with the current law;
- Decides which technical and organizational measures must be established to ensure and be able to prove, at any moment, that the necessary measures have been taken to guarantee a security level adapted to the risk;
- Alerts the competent authority regarding any Personal Data violation within 72h of its observation;
- Alerts the User of the violation of its Personal Data when it is likely to put a represent a real risk for its rights and freedom.

The DPO has the necessary resources and the capacity to take action with the Uzer teams to assist them and alert them with GDPR matters.

Article 7 – COLLECTED AND TREATED PERSONAL DATA

7.1 The Personal Data in question

Personal data includes: surname, name, address, email address, phone number.

7.2. Purpose of the processing

The Personal Data which can be collected is mainly used for managing the relations with the Eugène App users, and the processing of Website orders.

7.3 Duration of the processing

Identification data (marital status, name and surname, mailing address) directly collected from the concerned individuals is stored for 3 years starting from the end of the contractual relationship.

The connection data (IP address, logs) directly collected from the concerned individuals is stored for 5 years.

The location data (GPS data) directly collected from the concerned individuals is only stored for the duration of the contractual relationship.

7.4. Security of Personal Data

Personal Data is protected using the following actions:

- The physical access to the processing is secured (secured building);
- A User authentication process with individual password is implemented;
- A log file is kept;
- A daily data backup is carried out;
- The data exchanged in the network is encrypted (HTTPS protocol);
- Access to the server is secured by an encrypted connection protocol of SSH type;
- The data is hosted by OVH in Gravelines in France.

7.5 Data transmission to a third party

The Personal Data can be transferred to the following third parties:

- OVH (hosting company)
- Google (traffic analysis on the Website and Mobile App, and sending push notifications)
- Facebook (login button for the App)
- Mailchimp (sending the newsletters)

UZER does not sell any personal data to third parties.

Furthermore, the non-personal data collected via the App and/or the Eugène Device may be accessible to third parties for statistical and commercial purposes.

Article 8 – USERS RIGHTS

The User must contact the DPO at either of the two addresses stated in Article 6.1 for the execution of its rights as listed hereafter, and give any useful information for clear identification.

Particularly, the User will have to justify his/her identity, mail address and, if need be, the reference of the order or contract, and if this may be useful, his/her account number or personal space or subscriber number.

The DPO must answer the User by mail, at the address given by the User when making its request, within thirty (30) days starting from the receipt of the request.

If the DPO does not comply with this procedure, the User may submit a request to the competent authority, as designated in Article 55 of the EU Regulation 2016/679 of April 27th 2017, so-called “GDPR”.

8.1. Access Right

The User can obtain confirmation from the DPO that Personal Data related to him/her is or isn't processed, and when it is, access to the mentioned data.

Moreover, and more particularly, the User may question the DPO about:

- The purpose of the processing;
- The types of Personal Data which are concerned;
- The recipients of Personal Data in case of transfer;
- The duration of storage or any element which can help determine it if the duration is uncertain;
- The source of collection if the Personal Data is not collected from the concerned person.

8.2. Right to correct

The User can ask the DPO to change or complete the collected Personal Data.

8.3. Right to oblivion

The User may also ask for the erasure of Personal Data involving him/her, except in certain cases (article 17.3 GDPR), when:

- They are obsolete in regard of the purpose of the processing they have to undergo;
- The User withdraws the consent originally given;
- The User is opposed to the processing (article 21 GDPR);
- The Personal Data has been subject to unlawful processing;
- The Personal Data must be erased to follow a legal obligation to which the member of staff responsible for of the processing is subject;
- The Personal Data was collected during a service offer of the children's information company.

8.4. Right to limitation of data processing

The user may demand the limitation of Personal Data processing related to him/her when:

- The accuracy of the Personal Data is challenged, the processing is limited for the duration of the control by the DPO;
- The processing is unlawful and the User demands the limitation of the processing (and not the right to oblivion);
- The member of staff responsible for processing does not need the personal data for processing, but it is still of use to the concerned individual for challenging, carrying out or defending his/her rights in court;
- The concerned individual is opposed to the processing, pursuant to article 21 paragraph 1, during the verification of whether the legitimate motives pursued by the member of staff responsible for processing prevail over those of the concerned individual.

The User will be informed of the termination of the limitation by User, by email, and in due course.

8.5. Right to data portability

The User who makes the request will receive all of his/her collected and processed Personal Data, in a structured and commonly used format, in a machine-readable form.

The User may also request data portability towards another entity.

8.6. Right to object

The User may, at any time, object to the processing of his/her Personal Data based on consent.

The DPO is not under obligation of following this objection when there are legitimate and compelling motives for the processing which prevail over the interests and rights and freedom of the User, or for the observation, carrying out or defense of rights in Court.

The User may also object to the processing of his/her Personal Data when its purpose is prospection or profiling for the purpose of prospection.

8.7. The right to not be subject to a decision exclusively founded on automated processing

The User, except if he/she agrees to it, has the right to not be subject to a decision exclusively founded on an automated processing, including profiling, producing legal effects involving him/her or affecting him/her similarly in a significative manner.

The DPO agrees to do whatever is necessary in order to guarantee the User that his/her right to not be a subject to a decision exclusively founded on automated processing is observed.

8.8 Right to decide of what happens to data after death

The user is reminded that he/she may organize the future of his/her collected and treated data if he/she dies, in accordance with Law n°2016-1321 of October 7th 2016.

Article 9 – POLICY REGARDING COOKIES

In order to ensure the proper functioning of the Website, Uzer uses “cookies” files to improve the user experience.

These cookies can store: use preferences, display parameters as well as the geographic area of the User’s IP address in order to facilitate browsing during his/her next visit.

The used cookies expire once their mission is accomplished. Some cookies expire when the User closes his browser (session cookies) or after a given period (persistent cookies).

Uzer uses or allows third parties to use cookies which fall within the above-mentioned categories. User uses Google Analytics to follow its Website traffic. User also uses third party cookies to improve the features of the website, facilitate the newsletter subscription and order the Device.

Uzer is also likely to use plug-ins, widgets or other social network functions made available by and/or who access third party Social networks (Linkedin, Facebook, Twitter).

The user’s consent is automatically requested for the use of cookies involving the safeguard and analysis of data of personal nature.

The user’s consent will be considered valid for a maximum duration of thirteen (13) months. At the end of this period, the site will ask for the user’s authorization again to save cookies on his/her hard drive.

The User can control and/or delete all the cookies already saved in his/her computer and set up his/her browser as he/she wishes. For more information, please visit www.aboutcookies.org.

The User can delete all the cookies saved in his/her computer and set up his/her browser so as to block them. However, in that case, the User may have to indicate certain preferences each time he/she visits the Website, and certain services and functions may not be accessible.