

## **PERSONAL DATA PROTECTION AND INSTRUCTIONS ON COOKIES**

### **/Principles and Instructions on Personal Data Protection**

**Provided by the Controller to the Data Subject when Obtaining Personal Data from the Data Subject and Instructions on Cookies of the E-shop [www.profilino.com](http://www.profilino.com) /**

#### **I. Controller**

1.1. Controller's identity and contact information:

Business name: Quantensprung s.r.o.

Seat: Alžbetina 2, Košice - Staré Mesto 040 01, Slovak Republic

Registered in the Business register of the District Court Košice I, Section: Sro, Part no.: 45725/V

CIN: 36 671 967

TIN: 2022249416

UID: SK2022249416

Bank account number: SK42 1100 0000 0029 4908 5898

The seller is a VAT payer (value-added tax).

1.2. Controller's contact information:

E-mail: [marketing@profilino.com](mailto:marketing@profilino.com)

Phone number: +421 911 383 071

1.3. Pursuant to Article 13, section 1 and 2 of the Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC General Data Protection Regulation (hereinafter referred to as "the Regulation"), the Controller shall provide the data subject, whom they receive their personal data from, with the following instructions and explanation:

#### **II. References**

2.1. The following principles and instruction on personal data protection shall form an integral part of the General terms and conditions published on the Seller's e-shop.

2.2. Pursuant to Art. 3, section 1, let. n) of the Act No. 102/2014 Coll., the seller informs the consumer that there are no special relevant codes of conducts, which would seller undertake to adhere to.

#### **III. Personal Data Protection and Usage of Cookies. Instructions and Explanation of Cookies**

3.1. In context of EU Regulation on the protection of privacy in electronic communication, the Controller provides the following brief explanation on the function of cookies:

3.1.1. Cookies are text files containing a small amount of information that are placed on an internet user's hard drive of your computer, mobile phone or other electronic device that you use to access any website.

Cookies are rather useful as they enable the website to not only recognize the user's device but also to allow access to the website's functions for the user.

Generally, there are two types of cookies.

Permanent cookies – these cookie files remain stored on the user's device for the period indicated by the said cookie. They are read every time the user visits a website that created the cookie file.

Session cookies – these files allow the website's operator to connect user's activities during the time the user opens the browser until the user closes it. Session cookies are temporary. After closing the browser window, session cookies are deleted.

3.2. Explanation of what cookies are

3.2.1. A cookie is a piece of information in the form of a very small text file that the website stores on a user's hard drive on their computer or mobile device during browsing websites. Thanks to such file, the website can remember information about your steps and preferences (such as username, language, font size and other display settings), so the next time you visit the website or browse its pages, you do not need to fill it in again.

3.3. Instructions about usage of cookies

3.3.1. Controller's internet domain uses cookies in order to keep:

3.3.1.1. your display preferences, such as color contrast settings or font size;

3.3.1.2. information about whether you already filled in the survey displayed in a separate window (pop-up), in which you can express your opinion about the website's content (it will not be displayed again);

3.3.1.3. information about whether you already gave us (or not) your consent with using cookies on this website.

3.3.1.4. Re-marketing

3.3.1.5. Pixel

Same as some other subpages that are a part of the Controller's website, cookies are used for an anonymous monitoring of statistical data about who is the referring source of our website and in which form are you accessing our website.

Allowing usage of cookies is not necessary for our website's correct functioning but allowing them will improve your user experience. You can delete or block cookies anytime.

Information stored in cookies **will not be used for your personal identification** and the structure of data is fully under our control. Cookies will not be used for any other purposes than those mentioned in this text. Some of our pages or subpages may use additional or different cookies than the ones mentioned in the previous text. However, in such cases, there will be a separate notice on usage of cookies mentioned on the given website and will also include detailed information about their usage.

3.4. How to control cookies

3.4.1. Cookies may be **controlled and/or deleted any time** – any details can be accessed on the following website [aboutcookies.org](http://aboutcookies.org). You can delete all cookies stored in your computer and most of the browsers can be set not to store them. In such a case, however, you might be asked to manually set some of the settings during every visit of a website.

#### **IV. Processed Personal Data**

4.1. The Controller processes following personal data on their website: name, surname, address, e-mail address, telephone number, data acquired from cookies files, IP addresses.

#### **V. Contact Information of the Person Responsible for the Collection and Processing of Personal Data, Controller's Deputy**

5.1. The Controller does not appoint any person responsible for the collection and processing of the personal data.

5.2. The Controller does not appoint any deputy responsible for the collection and processing of the personal data.

5.3. The Controller is also the seller as defined by the term stipulated by the General terms and conditions of this internet website.

#### **VI. Purposes of the Data Subject Personal Data Processing**

6.1. The purposes of the personal data processing of the data subject include particularly:

6.1.2. account, creation and processing of contracts and client data for the purpose of contract conclusion with third parties

6.1.3. processing of accounting documents and documents relating to the business activities of the Controller

6.1.4. adherence to the legal regulations relating to archiving of the documents and receipts, e.g. pursuant to Act No. 431/2002 Coll. on Accounting as amended and on amendments of some acts

6.1.4. marketing and relevant advertising activities of the Controller

6.1.5. activities relating to the activities of the Controller on social media, e.g.: Facebook, Instagram, Twitter, and others,

6.1.6. activities relating to the internet activities of the Controller, e.g. targeted advertisement through Facebook Ads, Google Ads, and others,

6.1.7. Controller's activities relating to fulfilment of a request, order, contract and other instruments of a data subject.

#### **VII. Legal Grounds for the Data Subject Personal Data Processing**

7.1. Legal grounds for the data subject personal data processing is, depending on particular personal data being processed and the purpose for their processing, the consent of the data subjects with processing of their personal data.

### **VIII. Recipient or Categories of Recipients of Personal Data**

8.1. Recipients of the data subject's personal data shall be or may be:

8.1.1. Controller's statutory bodies or their members

8.1.2. persons performing work under employment or similar relationship for the Controller

8.1.3. business representatives of the Controller and other persons cooperating with the Controller at fulfilment of the Controller's duties. For the purposes of this document, the Controller's employees shall be defined as all natural persons performing work under employment contract or agreements on work performed outside employment contract.

8.1.4. The recipients of personal data of the data subject will also be the Controller's associates, their business partners, suppliers and contractual partners, in particular: accounting company, company providing services related to software application and maintenance, company providing legal services to the Controller, consulting company, transport companies and delivery of products to buyers and third parties, marketing companies, social networking companies.

8.1.5. The recipients of personal data will also be courts, law enforcement agencies, the tax office and other state bodies, if so provided by law. Personal data provided by the Controller will be only submitted to the given authorities and state institutions on the basis of and in accordance with the legal regulations of the Slovak Republic.

### **IX. Information about Provision of Personal Data to Third Countries and Storage Period:**

9.1. Does not apply. The Controller does not transfer personal data to third countries.

9.2. Personal data shall be stored in accordance with the legislative regulations for the time necessary to fulfil the purposes of the contract and their following archiving.

### **X. Instruction on the Existence of Relevant Rights of the Data Subject:**

10.1. Data subject has, among others, following rights, whereas:

10.1.1. Section 10.1 is without prejudice to other rights of the data subject.

10.1.2. Right of access by the data subject pursuant to Art. 15 of the Regulation, stipulating as follows:

the data subject shall have the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and **the following information**: the purposes of the processing; the categories of personal data concerned; the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations; where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; the existence of the right to request from the Controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; the right to lodge a complaint with a supervisory authority; where the personal data are not collected from the data subject, any available information as to their source; the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject, the appropriate safeguards pursuant to Article 46 relating to the transfer, where personal data are transferred to a third country or to an international organization

10.1.3. right to a copy of the personal data undergoing processing, however under condition that the right to a copy of the personal data undergoing processing shall not adversely affect the rights and freedoms of others.

10.1.4. right of the data subject to rectification pursuant to Article 16 of the Regulation, stipulating as follows: the data subject shall have the right to obtain from the Controller without undue delay the rectification of inaccurate personal data concerning him or her, the right to have incomplete personal data completed, including by means of providing a supplementary statement, right to erasure of personal data concerning him or her (so-called “right to erasure”) pursuant to Article 17 of the Regulation, stipulating as follows:

10.1.5. right to obtain from the Controller the erasure of personal data concerning him or her without undue delay and the Controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; the data subject withdraws consent on which the processing is based, under condition where there is no other legal ground for the processing; the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2); the personal data have been unlawfully processed; the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject; the personal data have been collected in relation to the offer of information society services referred to in Article 8(1) of the Regulation.

10.1.6. Where the Controller has made the personal data public and is obliged to erase the personal data, the Controller, taking account of available technology and the cost of

implementation, shall take reasonable steps, including technical measures, to inform Controllers which are processing the personal data that the data subject has requested the erasure by such Controllers of any links to, or copy or replication of, those personal data, **whereas, pursuant to Article 17, the paragraphs 1 and 2 of the Regulation shall not apply to the extent that processing is necessary:**

10.1.7. for exercising the right of freedom of expression and information.

10.1.8. for compliance with a legal obligation which requires processing by Union or Member State law to which the Controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller.

10.1.9. for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3).

10.1.10. for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or for the establishment, exercise or defense of legal claims;

10.1.11. right to restriction of processing of the data subject personal information pursuant to Art. 18 of the Regulation, stipulating as follows:

10.1.12. right to obtain from the Controller restriction of processing where one of the following applies: the accuracy of the personal data is contested by the data subject, for a period enabling the Controller to verify the accuracy of the personal data; the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; the Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims; the data subject has objected to processing pursuant to Article 21(1) of the Regulation pending the verification whether the legitimate grounds of the Controller override those of the data subject;

10.1.13. where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State;

10.1.14. a data subject who has obtained restriction of processing shall be informed by the Controller before the restriction of processing is lifted;

10.1.15. right of the data subject to notification obligation regarding rectification or erasure of personal data or restriction of processing pursuant to Article 19 of the Regulation, stipulating as follows: the Controller shall communicate any rectification or erasure of personal data or

restriction of processing carried out in accordance with Article 16, Article 17(1) and Article 18 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The Controller shall inform the data subject about those recipients if the data subject requests it;

10.1.16. right of the data subject to data portability pursuant to Article 20 of the Regulation, stipulating as follows:

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another Controller without hindrance from the Controller to which the personal data have been provided, where:

- (a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and
- (b) the processing is carried out by automated means.

10.1.17. right to obtain personal data in a structured, commonly used and machine-readable format and have the right to transmit those data to another Controller without hindrance from the Controller to which the personal data have been provided, shall not adversely affect the rights and freedoms of others

10.1.18 the right to have the personal data transmitted directly from one Controller to another, where technically feasible;

10.1.19 right of the data subject to object pursuant to Article 21 of the Regulation, stipulating as follows:

10.1.20. right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions of the Regulation;

10.1.21. the data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions. The Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.

10.1.22. where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes;

10.1.23. in the context of the use of information society services, the data subject may exercise his or her right to object by automated means using technical specifications;

10.1.24. where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89(1), the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest;

10.1.25. right of the data subject concerning automated individual decision-making, pursuant to Article 22 of the Regulation, stipulating as follows:

10.1.26. right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her, except for the cases pursuant to Article 22(2) of the Regulation (i.e. except for the cases if the decision: is necessary for entering into, or performance of, a contract between the data subject and a data Controller,

10.1.27. authorized by Union or Member State law to which the Controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or (c) is based on the data subject's explicit consent.)

## **XI. Instructions on Right of the Data Subject to Withdraw Their Consent to Personal Data Processing:**

11.1. The data subject shall have the right to withdraw his or her consent at any time, whereas the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

The data subject shall have the right to withdraw his or her consent at any time

- fully or partially. Partial withdrawal of consent with personal data processing may only concern a specific type of processing operation/processing operations, whereas lawfulness of personal data processing of the rest of the processing operations remains without prejudice. Partial withdrawal of consent with personal data processing may only concern a specific purpose of personal data processing/specific purposes of personal data processing, whereas lawfulness of the rest of specific purposes of personal data processing remains without prejudice.

Right to withdraw his or her consent with personal data processing may be exercised by the data subject in writing by sending the letter to the Controller's address indicated as their seat in the business register at the time of personal data processing consent withdrawal or in an electronic form via electronic means (by sending an e-mail to the e-mail address of the Controller indicated in the identification of the Controller in this document or by filling in the electronic form published on the Controller's website).



## **XII. Instruction on Right of the Data Subject to to Lodge a Complaint with the Supervisory Authority:**

12.1. The data subject has the right to lodge a complaint with the supervisory authority, specifically within the member state of their usual residence, place of work or place of alleged violation if the data subject suspects their personal data processing is in violation with the Regulation, all without prejudice to any other administrative or judicial remedy. The data subject has the right to be informed by the supervisory authority to which the complaint has been lodged, as the plaintiff, of the progress and outcome of the complaint, including the possibility to seek judicial redress under Article 78 of the Regulation.

12.2. The supervisory authority in the Slovak Republic is the Office for Personal Data Protection of the Slovak Republic

## **XIII. Information on the Existence/Non-existence of the Data Subject's Obligation to Provide Personal Data and Information Related to Automatic Decision-making, Including Profiling:**

13.1. The Controller shall inform the data subject that provision of their personal data is necessary to conclude the purchase contract and its fulfilment. The Controller shall also inform the data subject that the data subject is not obliged to provide their personal data nor are they obliged to give consent to their processing. However, failure to provide personal data and/or failure to give consent to their processing will result in the Controller not being able to conclude and fulfil the purchase contract.

13.2. Since the Controller's case does not define as personal data processing of the data subject in the form of automated decision-making, including profiling referred to in Article 22, section 1 and 4 of the Regulation, the Controller is not obliged to provide information under Article 13 section 2 let. f) of the Regulation, i.e. information on automated decision-making, including profiling, and on the procedure used, as well as on the importance and expected effects of such processing of personal data of the data subject. Not applicable.

## **XIV. Final Provisions**

14.1. The principles and instructions on personal data protection shall form an integral part of the General terms and conditions and the Customer complaint policy. The documents - General terms and conditions and Customer complaint policy of this e-shop are published on the domain of the seller's e-shop.

14.2. The principles and instructions on personal data protection shall become valid and effective on the day of their publication on the seller's e-shop **01.05.2021**