

# DATA PROCESSING NOTICE

## On the processing of personal data at the fishinda.com website and in the Fishinda application

Effective: As of 25 May 2019 until revoked

*We use your personal data to enable the use of the services provided by Fishinda Kft. (registered seat: H-8096 Sukoró, Páfrány köz 11. Hungary, company registration number: 07-09-027623) ("Fishinda") on the fishinda.com website and in the Fishinda application as well as to send you useful content, relevant information, product recommendations, recommended services and personalized offers with the aim of optimizing your experience related to the services. These great services are based on your earlier behavior, the services you have used and the information you have shared with us.*

### I. Introduction

Fishinda processes the personal data of the natural persons ('Users') registered in the Fishinda Application ('Application') and using the fishinda.com website ('Website' or 'Marketplace') with the aim of providing them the operation of these platforms ('Service'). Having acquainted themselves with this Data Processing Notice, Users, by registering on any of the Fishinda platforms and by using the Service, consent to their personal data being processed by Service Provider in accordance with the provisions of this Data Processing Notice.

#### I.1. Application

The Fishinda application is a community-building platform which provides registered Users with an information channel and information about fishing activities, catches, fishing waters, products and, using online community building as an instrument, it intends to eventually build real communities.

#### I.2. Marketplace (Website)

An online marketplace at the [www.fishinda.com](http://www.fishinda.com) Internet site for those interested in fishing. The Fishinda Marketplace unites our partners selling their products on the Fishinda Website. Thanks to the products of the Marketplace sellers, Users browsing the Website can have a substantially larger product portfolio to choose from using their own account.

#### I.3. Users

User is a natural person or a legal person who, by providing their data during registration, becomes entitled to use the Services. Users accept and acknowledge that registration and the use of the Service do not guarantee that they will receive all the information that they find important as the content of the information is based on communication provided and disclosed by the Users and others. Fishinda shall not accept any responsibility for the truthfulness of the data provided or for the information communicated or disclosed by the Users or others. We maintain the right to remove user profiles from the Fishinda application or from the Marketplace which are not truthful.

Fishinda considers it to be its fundamental obligation to ensure that the privacy rights related to personal data are fully observed during its operations and therefore we will use any and all instruments and apply any and all methods available to us to process your personal data in full compliance with Regulation 2016/679 of the European Parliament and of the Council on general data protection ('GDPR Regulation') as well as with other applicable legislation. Having regard to the fact that one of the main intentions of the underlying legal regulation is to provide transparency, this document aims to provide information on the data protection and data processing principles and regulations applied in connection with the Fishinda Application and the [www.fishinda.com](http://www.fishinda.com) website (Marketplace) . The basic principle for the processing of personal data during the operation of the Application and the Website is to protect the personal data of every user for the entire term while such data are handled and processed, in accordance with the applicable legislations.

We maintain the right to update and amend this Data Processing Notice from time to time in order to ensure that the provisions presented here reflect at all times the actual manner of how personal data is processed and to ensure that they comply at all times with the statutory requirements in effect. Should any of these regulations be amended based on the above, we will publish the amended version of the Data Processing Notice on our website.

## **II. Basic data**

**Data of Fishinda, as Controller:**

**Fishinda Kft.**

**address: H-8096 Sukoró, Páfrány köz 11.**

**company registration number: 07-09-027623**

**e-mail: [info@fishinda.com](mailto:info@fishinda.com)**

**website: [www.fishinda.com](http://www.fishinda.com)**

## **III. Scope of the personal data processed**

*Please be advised that the following data shall be processed by Fishinda Kft. and forwarded to its Processors to allow the use of the Services provided in the Application and in the Marketplace. When you provide your personal data or information while creating your account (registration) in the Application and on the Website you will need to acknowledge that you have familiarized yourself with the entire Data Processing Notice in effect and to state that you explicitly accept the provisions therein.*

### **III.1. The personal data processed in relation to the Fishinda Application and the Website**

We generally obtain your personal data directly from you and therefore you are able to influence the type of information you share with us when they are being collected.

When creating your user account, you will provide us with your e-mail address, given name, surname, country, but you may provide additional data, too.

When submitting an order, you will provide us with information about the product you intend to purchase, your shipping address, billing data, selected method of payment, telephone number, etc.

Of course, you also have the opportunity to register on Fishinda using your Facebook or Google account, too. If you opt for any of the above, the URL you select will redirect you to the Facebook Admin / Google LLC webpage where the Service Provider you selected will provide you with information on how your data forwarded to us (Fishinda) is processed. You can find the privacy regulations of Facebook and Google by clicking on the following URL's:

<https://www.facebook.com/about/privacy>

<https://policies.google.com/privacy>

In order to achieve an even more personalized online user experience and to make our offers even more unique based on your preferences, we may collect and process certain information about your visits to our website and about your browsing habits and user behavior during the use of our smartphone application.

On our website and in our smartphone application we may collect and store data that we process using cookies and similar technologies in accordance with the related Cookie regulations that you can access via the following URL: <https://fishinda.com/hu/cookies>

We do not collect or process any sensitive data that is considered by the GDPR Regulation to be special categories of personal data. In accordance with this, we do not collect and do not process data of minors who are under the age of 16 at the time of providing the data.

The list of processed data:

- 1) given name (required)
- 2) surname (required)
- 3) e-mail address (required)
- 4) password (required)
- 5) country (required)
- 6) fishing permit number
- 7) Facebook identification
- 8) Google identification
- 9) profile photo
- 10) data processing consents
- 11) date and time of data processing consents
- 12) data related to the Fishinda Extra subscription of the Application (required)
- 13) data uploaded to the Application by the User (data related to catches, logins, pictures, events, comments, likes)
- 14) data of favorite products and products used as provided by the User-
- 15) data recorded while using the Application and the Website (time of last login, registration, usage time, type of device, operating system, pages viewed etc.)
- 16) data on the participation of the Users in the promotions organized in the framework of the Application
- 17) data on discount coupons redeemed by Users
- 18) newsletter subscription status
- 19) operations (start time, end time)
- 20) date and text of notifications

- 21) time of password recovery requests
- 22) purchase data
- 23) shipping and billing addresses
- 24) payment methods
- 25) telephone number
- 26) location
- 27) notification settings

In case of the above data, the processing of the data is required to perform the services that the User requested by registering and which are necessary for the fulfillment of the measures requested by/in the interest of the User. The data in clauses 1-6), 9), 12-13) are required for personal identification, and they must be provided. The data in clauses 7-8) may be processed to link the Facebook and the Google accounts with the Fishinda account. The data in clauses 10-11) regulate and manage the data of the data processing consents. The data in clauses 14-18) are data voluntarily uploaded by the User based on his/her own decision during the use of the Application. These are provided and uploaded subject to the User's own decision. The data in clauses 19-22) are administrative data which record whether the User has subscribed to the newsletter of his/her own volition based upon his/her own decision, and they also record the time since when the User has been using the Application, what notifications the User has received and when he/she requested a new password. The data in clauses 23-26) contain the data provided during purchases made on the Website (Marketplace). Clause 27) is necessary for us to know which fishing waters and members are in your vicinity (country, town, address, language settings).

### **III.2. Technical data**

Data recorded by technical means during the operation of the system: the data of the computer or the telephone of the logged in User that are generated while using the Service and which the system of Fishinda Kft. records as automatically resulting from the technical processes. The system automatically logs the automatically recorded data at login and at exit without a separate statement or action by the User. Such data - with the exception of the cases required by law - cannot be linked with the other personal data of the users. Such data are only accessible by Fishinda Kft.

Independent measurement and auditing of the traffic and other web analytics data of the Website and the Application are aided by external servers (Google Analytics). Google Analytics can provide Users with information on the processing of the measurement data. Available at: [www.google.com/analytics](http://www.google.com/analytics)

If you do not wish Google Analytics to measure the above data as and with the purpose described, please install an add-on in your browser that blocks it.

### **III.3. Data processing related to newsletters and personalized newsletters**

You may subscribe to our newsletters in the Application, while registering in the Marketplace and at the [www.fishinda.com](http://www.fishinda.com) website. Users subscribing to the newsletters provide the following personal data to Fishinda Kft. voluntarily for processing in relation to the using of said opportunity:

- 1) name
- 2) e-mail address
- 3) data of purchases

- 4) behavior habits related to the use of the Application and the Website
- 5) information and behavior habits related to reading newsletters.

You may unsubscribe from newsletters and from any other marketing-related communication at any time, without any limitation and the need to provide a cause, free of charge, at the following address: [info@fishinda.com](mailto:info@fishinda.com).

Furthermore, if you receive a commercial message via e-mail, we will remind you in such e-mails that you may unsubscribe at any time, without limitations and the need to provide a cause, free of charge.

#### **III.4. Data processing for the purposes of participating in competitions and of receiving marketing-related communication**

During the registration and by using the Application and the Website, Users may provide their consent to participating in promotions, competitions, to process his/her data that he/she provided for the purpose of carrying out these, and to his/her name and country being disclosed if the User has won.

During the registration and by using the Application and the Website, Users may provide their consent to being approached by Fishinda Kft. with direct marketing proposals (including the sending of newsletters) at the contact details provided by User.

Providing such consent is not required.

#### **III.5. Processing for other purposes**

These include correspondence with the customer service of Fishinda Kft. (user complaints, grievances, requests, queries).

Fishinda Kft. maintains a customer service and the correspondence carried out with the customer service is recorded in order to enable Fishinda Kft. to credibly reconstruct the events in case of a consumer dispute.

### **IV. Data protection officer**

Having respect to the fact that none of the compulsory cases set forth in Article 37 of the GDPR Regulation apply, no Data protection officer has been appointed.

### **V. Legal basis, purpose and means of processing**

**V.1.** We will use your data primarily to **provide the Services** to you. This general aim incorporates the following scopes of usage, if applicable:

- creating and managing a user account on the Fishinda interface;
- processing orders, including receiving, screening, shipping and billing such orders;
- performing actions related to the cancellation of orders or any other issues in relation to goods purchased or Services ordered;
- handling returned products in compliance with relevant statutory provisions;
- reimbursing the value of products in compliance with the relevant statutory provisions;
- providing support services.

In the majority of the cases, processing your data for the above purposes is necessary for the conclusion and the performance of the contract between you and Fishinda. In addition to this, processing certain data in this respect is required by statutory provisions, including the laws on taxation and accounting.

**V.2. We may process your data to enhance our services.**

Our aim is to be able to provide the highest possible level of services and online customer experience at all times. Among other things, this requires us to collect and utilize certain information about your purchasing habits. For this reason, we carry out market research directly or with the involvement of external partners and we also ask you to fill out a questionnaire measuring your satisfaction after a specific order. We perform such activities on grounds of our legitimate commercial interests, however, we always maintain that such activities shall not violate your basic rights and freedoms.

**V.3. Data processing may be carried out for marketing activities.**

We would like to keep you continually informed of our current offers and latest news related to your fields of interest. In the interest of this,-at certain intervals we will send newsletters with general or thematic content by the electronic means available to us (in the form of e-mail / SMS / mobile notifications / banners, pop-up messages etc.), and we will also inform you of products similar to or supplementing the products you purchased or intended to purchase earlier. Furthermore, we would like to display other commercial communications as well as personalized offers on our website and via our mobile application. We may use certain data (e.g. products viewed / products added to favorites / purchased products) for user profiling so that we will be able to provide you with information that falls in your field of interest.

In most cases we carry out our marketing communication activities with your prior consent. You may change your mind and revoke your consent at any time by changing the account settings in the Application and/or on the Website or by contacting Fishinda using the contact details provided above.

We use some of our marketing activities to promote and enhance our commercial activities based on our legitimate commercial interests. In every case where we use information related to you with regard to our legitimate commercial interest, we use such information with the utmost care expected of us in this respect, fully guaranteeing that your fundamental rights and freedoms are not violated.

**V.4. We may process your data with regard to our legitimate commercial interests.**

Situations may arise in which we are required to forward certain information in order to exercise our own rights and business interests and to protect our commercial activities. Such situations, without being exhaustive, may include the following:

- Defensive and other precautionary measures against cyber attacks jeopardizing the security of the users of the Website and the Fishinda Application;
- measures to prevent and discover any attempts of fraud, including forwarding the relevant information to the competent authorities and public authority bodies;
- measures to manage any other risks.

Our authorization for the processing of the data as described above arises from our legitimate business interests to protect our own commercial activities, during which we continually guarantee that the measures we perform or propose take into consideration the principle of

balance and proportion between our legitimate interests and the fundamental rights and freedoms of the Users.

Furthermore, in certain cases we perform data processing with a view to fulfilling our statutory obligations. This is necessary to guarantee the principles and the values required by applicable laws for the transaction in question.

Fishinda Kft. shall not use the personal data provided for purposes other than the ones determined herein. Personal data may only be disclosed to third parties or to the authorities - unless regulated otherwise by law with a binding effect - based on the prior, explicit consent of the User.

## **VI. The duration of the processing**

As a rule, we will store your personal data as long as your Fishinda user account exists. Nevertheless, you may request certain data relating to you to be erased or your user account to be terminated at any time, however, with regard to certain data relating to you we will fulfil our statutory obligation to safeguard and store such data even after your user account is terminated.

If you do not have a Fishinda account and make a purchase on the Website, as a rule, we are required to store any information related to your order for a period of 3 [three] years from the performance of that order. Similarly to provisions above, in accordance with the statutory obligations related to safeguarding and storage, we may be required to ensure that certain data is stored for a period exceeding the term of three years.

**VI.1.** The processing of your personal data provided upon registration in the Application and on the Website starts with the registration and lasts until such data is erased upon request. In case of optionally provided data, processing lasts from the time when the data was provided until such data is erased upon request.

Users may delete their registration in the settings of the Application and the Website, or it may be deleted upon request of the User by Fishinda Kft. .

**VI.2.** The system stores the logged data in a manner associated with the person until the registration is deleted.

**VI.3.** In the event that the registration is deleted or the User does not log in the Application for 5 years (it becomes inactive), every data associable with the person (name, e-mail address, country, Google ID, Facebook ID, fishing permit number, user identification ID, photographs, events) will be deleted. The data related to catches and user behavior will be anonymously processed by Fishinda Kft. for statistical purposes and in order to enhance user experience not associated with any person.

**VI.4.** The above provisions do not affect the fulfillment of the retention obligations set forth by legislation (e.g. accounting laws) or any data processing based on consent that was provided when subscribing to newsletters on the Website or in any other way.

**VI.5.** In case of newsletters, the processing of personal data lasts until you unsubscribe from the newsletter.

**VII. Transmitting data**

In certain cases we will transmit your personal data to the parties in the following sectors and provide such parties access to some of your personal data:

- insurance companies;
- our partners performing market research;
- our clients performing marketing / telemarketing services;
- our partners providing financial / banking services;
- our suppliers dealing with courier and express mailing services;
- Fishinda Marketplace partners;
- companies in the same group as Fishinda;
- companies providing financing opportunities: financial partners;
- to fulfil our statutory obligations and to protect our legitimate economic interests, we disclose certain personal data to public authority bodies.

We provide full guarantee that any private entity identified as a third party may only have access your data when in full observance of the statutory obligations regarding data protection, information security and secrecy, and only to the extent determined in the agreements concluded with such entities.

Your personal data processed under this notice will be transmitted to Planet of the Apps Informatikai és Mobilkommunikációs Korlátolt Felelősségű Társaság (registered seat: H-1037 Budapest, Virág Benedek u. 23.; e-mail address: info@planetoftheapps.hu, telephone number: +36 70 3912537, as data processor, subject to the following:

<i>Scope of data forwarded, data accessed by data processor</i>	<i>Name</i> <i>Place and date of birth, mother's maiden name</i> <i>Gender</i> <i>Age</i> <i>Place of residence, mailing address</i> <i>E-mail address</i> <i>Telephone number</i> <i>Bank account number</i> <i>Billing details</i> <i>Station number or other identifier (IMEI, IMSI, IP address)</i>
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	<p><i>Network and cell information, geolocation data</i></p> <p><i>Internet access and mobile network data</i></p> <p><i>Data related to the use of the services offered by a specific application</i></p> <p><i>Caller and dialed number and call data, time of call started, duration of the call</i></p> <p><i>Browsing and viewing data</i></p> <p><i>Technical measurement data, device parameters</i></p> <p><i>Other data determined by the controller which the framework system of the processor is able to store.</i></p>
<i>Purpose of processing</i>	<p><i>The purpose of processing by the processor is to perform efficiency-boosting, analytical and expert advisory services related to the mobile application operated by the controller, concluded with controller, including at all times the performance of the operations determined by controller in the contract concluded for the performance of such services for the purposes and with the instruments determined by the controller.</i></p>
<i>Processing operations - exclusively based on and according to the instructions of the CLIENT, for the purpose and with the instruments determined by the CLIENT</i>	<p><i>Data storage,</i></p> <p><i>Direct messaging</i></p> <p><i>Filtering data based on the data types that can be provided</i></p> <p><i>Other operations made possible by the framework system of the controller</i></p>
<i>Duration of access by processor</i>	<p><i>Processing by the processor takes place for during the term of the agency agreement concluded with the controller, but in each case only until the end of the retention period determined in this notice.</i></p>
<i>Place of processing activities</i>	<p><i>H-1037 Budapest, Virág Benedek u. 23.</i></p>

Your personal data processed under this notice will be transmitted to M.I. Solution Kft., as processor, subject to the following:

Activities performed by Processor: Use of various extra functions (e.g. sending of newsletters).

Name and contact details of Processor:

M.I. Solution Kft.

H-2045 Törökbálint, Hosszúréti u. 1.

+36 20/362-8289

info@miclub.hu

Processing and the scope of processed data: All the personal data provided by the data subject during the use of the service.

Scope of data subjects: Every data subject using the website.

Purpose of data processing: Operating the services provided by the processor on the website.

Duration of processing, deadline for erasing data: Processing lasts until the agreement between controller and processor has terminated or until a request for erasure by the data subject to the processor.

Legal basis for processing: the consent of the User, Article 6 paragraph (1) clauses a) and b) of the GDPR, and Section 13/A. paragraph (3) of Act CVIII of 2001 on Certain Aspects of Electronic Commerce Services and Information Society Services.

Activities of the processor: To ensure an enhanced customer experience and provide information more successfully, Fishinda uses M.I.'s system (M.I. Solution Kft., Hungary, H-2045 Törökbálint, Hosszúrét utca 1., www.miclub.hu) which uses text files stored on your computer (cookies). These cookies store your activities (clicks) carried out on our webstore interface. With the help of our software and the cookies, we are able to make estimations as to which of our products or services you may find interesting and it helps us to be able to send you automatic information e-mails that you are truly interested in. If you would not like to receive such e-mails or would not like us to track your activities with such purpose, please, click on the "unsubscribe" option placed in the footer of any of the e-mails and no more automated e-mails will be sent and the tracking of your activities in our webstore will cease, but you can achieve the same by logging in our webstore and disabling your newsletter subscription under Profile.

Besides these, we only place cookies on your device while you are browsing our webstore and this will help us optimize our marketing activities while the data collected in this manner can in no way be associated with any particular person.

## **VIII. The rights of the Users (data subjects) and the exercising of their rights**

**VIII.1.** Users may at any time request to obtain information on the personal data relating to them and processed by Fishinda, which may be amended at any time by the User on the Website and in the settings of the Application, or at the request of the User by Fishinda.

**VIII.2.** Upon the request of the User, Fishinda shall provide information on his or her data being processed by it or by a processor engaged by it, on the source of such data, the purpose, the legal basis and the duration of the processing, furthermore, on the name, address of the processor and its activities related to the processing, the circumstances of any data breach, its effects and the measures taken to avert them, and furthermore - where the personal data of the User is transmitted - the legal basis and the recipient of the transmission. Fishinda shall provide such information within 30 days from the submission of such request.

Fishinda, for the purpose of checking the measures related to data breaches and for informing Users, maintains records which contain the scope of personal data of the Users, the scope and number of those affected by the data breach, the time, circumstances, effects of the data breach

as well as the measures taken to avert such breaches, and also any other data required by legislation stipulating data processing.

**VIII.3.** Users may exercise their rights through the following contact details:

Mailing address: Fishinda Kft., Magyarország, H-8096 Sukoró, Páfrány köz 11.

Customer service: info@fishinda.com

**VIII.4.** Users may at any time request to obtain the rectification or erasure of their data that were recorded inaccurately. Users may correct certain data themselves on the Website or in the Application; in other cases Fishinda shall rectify or erase the data within 3 days from the receipt of such request. In this latter case the data will not be recoverable. Erasure shall not be applicable to cases where processing is required by legislation (e.g. accounting laws), these will be preserved by Fishinda for the term necessary.

The Users and any party to whom the data was transmitted for processing shall be notified of the rectification or the erasure. Notification is not necessary if, with regard to the purpose of the processing, it does not harm the legitimate interests of the Users.

If Fishinda rejects the request of the User for the rectification, restriction or erasure, it shall notify him or her about the factual and legal reasons for rejecting the request for the rectification, restriction or erasure within 30 days of receiving such a request in writing.

**VIII.5.** Users may at any time object to the processing of their personal data without a need for cause. Fishinda shall review the objection within the shortest possible time after the request has been submitted, but not later than within 15 days, and shall decide on the merits of the case and shall inform the requestor of its decision in writing.

**VIII.6.** Users have the right to request to obtain from Fishinda the personal data concerning them in a structured, commonly used and machine-readable format and, in addition, have the right to transmit those data to another controller if:

- the processing is carried out solely on the basis of your consent and is based on a contractual authorization determined in the agreement concluded by you; and
- the processing is carried out by automated means.

**VIII.7.** Users may lodge their complaint under the Information Act and the Civil Code (Act V of 2013) with National Authority for Data Security and Freedom of Information (NAIH, H-1125 Budapest, Szilágyi Erzsébet fasor 22/c.; www.naih.hu) or exercise their rights before the Court.

**VIII.8.** If the User provided the data of a third party when registering to use the services or caused damage while using the Application and the Website, Fishinda shall be entitled to claim compensation for damages against the User. In such cases, Fishinda shall assist the authorities acting in the case with any means available to it in order to determine the identity of the infringing person.

## **VII. Data security**

Taking into account the state of the art, the costs of implementation and the data security risks, Fishinda and its processors shall implement appropriate technical and organizational measures to ensure a level of security appropriate to the risk.

Fishinda shall protect the processed data with measures proportionate to the risks, particularly against unlawful access, alteration, transmission, disclosure, erasure or destruction, and accidental destruction and damage, and against it becoming inaccessible due to the alteration of the technology applied. As part of this, Fishinda and its processors shall store the data password protected and/or in encrypted databases. Fishinda and its processors shall protect the data with means proportionate to the risks, in particular with firewalls, antivirus programs, encryption mechanisms, content filtering and other technical and process solutions, and shall constantly monitor data breaches.

In payment support services used for payments, every information related to payments will be protected with SSL encryption.

### **VIII. Miscellaneous provisions**

Fishinda shall not check the personal data provided to it. Only the person providing the personal data shall be liable for the adequacy thereof. By providing his or her email address during the registration, User accepts the liability for the email address to be used for services only by him or her. Having regard to this liability, any and all responsibility related to the logins via a particular e-mail address shall be borne exclusively by the User who registered that particular e-mail address.

The provisions of this Notice were prepared with particular attention to the provisions of Regulation 2016/679 of the European Parliament and of the Council (GDPR).

Fishinda maintains the rights to unilaterally amend this Data Processing Notice at any time with prior notice provided to the User in the Application and on the [www.fishinda.com](http://www.fishinda.com) webpage. By using the Application and the [www.fishinda.com](http://www.fishinda.com) webpage, Users accept the amended terms.

Budapest, 1 May 2019