

FOUNDY.APP PRIVACY AND COOKIES POLICY

To fulfill the obligations arising from Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 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, **GDPR**), the Controller provides all necessary information about the scope and legal grounds for processing the personal data of Service Users, as well as the contact details of the Controller.

Please read this document carefully. If you have any questions or doubts, you can contact the Controller using the contact details provided below.

THE CONTROLLER OF PERSONAL DATA

Your personal data is administered by **Tomasz Kowalewski**, a sole proprietor with the registered office in Kraków, Kapelanka Street 12, 30-347 Kraków, Tax ID [NIP]: 9542491588, REGON: 122978211 (**Controller**)

The Controller can be contacted in the following way:

1. by post to the following address: Kapelanka Street 12, 30-347 Kraków;
2. by e-mail to: me@tkowalewski.pl.

PURPOSES AND GROUNDS FOR PROCESSING PERSONAL DATA

The Controller collects and processes your data, including personal data, when you provide it directly to him, in particular when:

- a) you use the Controller's Service at <https://foundy.app> (**the Service**);
- you send a message to the Controller by e-mail or make a complaint about the operation of the Service.

The Controller receives the data that you provide or are necessary to contact the Controller. In order to use the Service and its functionality, the Controller only requires providing an e-mail address, which is necessary to set up an Account on the Service. Additionally, providing an e-mail address is necessary to receive commercial information about the product and services (Newsletter subscription).

Your personal data will be processed for the following purposes and on the following legal bases:

- 1) processing is necessary to provide Users with services electronically via the Service - based on the agreement that the User concludes with the Controller by accepting the Regulations of using the Service, pursuant to Art. 6 sec. 1(b) of the GDPR;
- 2) performing obligations arising from legal provisions, including the Act on the provision of services by electronic means, and in order to consider submitted complaints, pursuant to Art. 6 sec. 1(c) of the GDPR;
- 3) processing is necessary for the purposes of the legitimate interests pursued by the Controller (Art. 6 1(a) and (f) GDPR), which include:
 - a) replying to messages sent to the Controller through e-mail, investigating and defending against claims, before courts and administrative authorities, as well as outside of them.
 - b) sending the Newsletter for marketing purposes after giving a User prior consent.

NEWSLETTER

1. The User may voluntarily agree to subscribe to the Newsletter.
2. The Newsletter provides marketing information regarding products, news and promotions offered by Controller.
3. The conditions for Newsletter subscription include:
 - 1) providing the e-mail address to which the Newsletter is to be sent through special form at <https://foundy.app>
 - 2) giving a consent to receive commercial information by e-mail;
 - 3) accepting the provisions of the Privacy and Cookies Policy
4. The Newsletter is provided free of charge, for an indefinite period of time. The agreement in this regard is concluded upon confirmation of the subscription to the Newsletter via a link sent to the e-mail address provided during subscription by the User.
5. The User may unsubscribe the Newsletter at any time, without stating any reason whatsoever, by sending an e-mail to the Controller at the e-mail address: me@tkowalewski.pl, or by clicking on the link included in each e-mail received within the Newsletter subscription.

VOLUNTARY PROVISION OF PERSONAL DATA

Unless otherwise expressly indicated by the Controller, providing personal data is voluntary. In some cases, providing data is necessary to use the functionality of the Service, e.g. refusing to provide an e-mail address prevents you from registering an Account on the Service.

RECIPIENTS OF YOUR PERSONAL DATA

Your personal data may be transferred to:

- 1) entities managing the teletechnical infrastructure,
- 2) Controllers of the servers on which the data are stored. The servers are located in the EEA (Germany);
- 3) the entity responsible for the transmission of authentication codes, including sending newsletter i.e. Mailjet. Its servers are located in the EEA (Belgium and Germany).

The data is transferred solely for the proper provision of services and only to the extent specified in the agreements concluded with the aforementioned entities.

The Controller may transfer the User's data to public authorities at their request and in accordance with the obligations arising from applicable legal provisions.

TRANSMISSION OF DATA OUTSIDE THE EUROPEAN ECONOMIC AREA

Data is not transferred outside the European Economic Area.

RETENTION PERIOD OF YOUR PERSONAL DATA

Your personal data is stored:

- 1) for the duration of the agreement for the provision of electronic services under which the User uses the Service;
- 2) for the time necessary to verify the User's request/inquiry, in the event that the Controller contacts the User in response to his query;
- 3) for the period specified in the applicable law or until the complaint process is resolved, in the case of fulfilling legal obligations incumbent on the Controller;
- 4) for the duration of the legally justified interest of the Controller or until objection is raised, when processing is based on the legally justified interest of the Controller. However, personal data will be stored until the statute of limitations for potential claims, for a period in accordance with applicable law.
- 5) for the period related to the subscription to the Newsletter until permission to provide commercial information by e-mail is withdrawn or until objection is raised against such data processing.

YOUR RIGHTS IN RELATION TO THE PROCESSING OF YOUR PERSONAL DATA

In accordance with the GDPR, the User has the following rights in relation to the processing of the User's personal data:

- the right to access to personal data (Art. 15 of the GDPR)
- the right to request the rectification of personal data (Art. 16 of the GDPR)
- the right to request the erasure of personal data (Art. 17 of the GDPR),
- the right to request the restriction of the processing of personal data (Art. 18 of the GDPR)
- the right to data portability, i.e., the right to receive personal data provided by the User to the Controller, in a structured, commonly used, machine-readable format; the User may transmit this data to another data controller or request the Controller to transmit their personal data to another data controller, however, the Controller will do so only if such transmission is technically feasible (Art. 20 of the GDPR)
- the right to object to the processing of the User's personal data based on the legitimate interests pursued by the Controller, which are not overriding over the interests or fundamental rights and freedoms of the User (Art. 21 of the GDPR).
- the right to withdraw consent (Art. 7(3) GDPR) - where the processing is based on consent.

In order to exercise the above rights, you should contact the Controller by e-mail: or by post to: Kapelanka Street 12, 30-347 Kraków.

The User also has the right to lodge a complaint with the supervisory authority responsible for the protection of personal data, most commonly with the President of the Personal Data Protection Office (Art. 77 of the GDPR).

COOKIES

Cookies are small files that store some information about the User's device, e.g. a computer or smartphone. Cookies usually contain the name of the service from which they come, the time of their storage on the end device and a unique number.

The entity that places cookies on the Service User's end device and obtains access to them is the Controller.

The service uses only session cookies, which are necessary to maintain the website user's session. Session cookies are temporary files that are stored on the User's end device until they log out, leave the service, or turn off the software (web browser).

Service browsing software (web browser) usually allows cookies to be stored on the User's end device by default. Users of the Service may change the settings in this respect. The web browser allows you to delete cookies. It is also possible to automatically block cookies. For details, see your web browser's help or documentation.

CHANGES TO THE PRIVACY AND COOKIES POLICY

In order to ensure that the information contained in this document complies with current legal requirements, this Privacy and Cookies Policy may be changed at any time. This reservation also applies to cases in which the data protection information must be adapted due to new or changed functions offered by the Service. Changes to this Privacy and Cookie Policy will be made by posting a new text on the Service's website, which will enter into force automatically the next time you use the Service.

Last updated May 15, 2024