



PRIVACY POLICY

Preamble

The present privacy policy (“**Privacy Policy**”) has the goal to inform the users (“**Users**”), the participants (“**Participants**”), the client brand contacts (“**Advertisers**”) and the providers about the use of personal data (“**Data**”) made by The Social Company and its rights to this concern in the framework of its contractual relationship with its users, Participants, Advertisers, and providers.

The Privacy Policy is available through the website www.skwad.com (the “**Website**”) and in any event it is available for any User, Participant, Advertiser, provider at the moment of their registration on the Website or Application or before the conclusion of a contract with The Social Company.

It may be modified to take into account, in particular, the evolution of Data processing being implemented and the applicable legislation. The former version is filed and stays available to Users. In this way, our providers, Users, Participants and Advertisers are encouraged to read carefully any new version that The Social Company provides.

1. The responsible of processing and the people involved in this Privacy Policy

The Social Company SAS is the operator of the website www.skwad.com, and its mobile application skwad. It is the Data processing manager, taking the role of a professional who proposes a collaboration between Participants and Advertisers in order to increase the visibility of Advertiser’s products/services through Participants’ social network accounts. Therefore, The Social Company is submitted to the obligations imposed by the French and European Union legislation in force regarding personal data, especially the Regulation (EU) 2016/679 of April 27, 2016, on the protection of natural persons with regard to the processing of personal data and to the free flow of such data (“**GDPR**”).

The people involved in the Data processing are the providers, Participants, and Advertisers, also including the internet users navigating on the Website (the “**Users**” or “**You**”).

2. Definitions

The expression “personal data” means any information that makes a person identifiable directly as in their name and surname or indirectly as in their IP address, social security number or ID number (the “Data”).

A Data processing means every performed or contemplated operation, directly or indirectly, to the Data, such as the collection, register, organization, preservation, modification, consultation, transmission, diffusion, or any other form of provision, the record linkage or interconnexion, the limitation or erasure, etc.

3. Collected and processed data

Data You provide us

The Social Company collects Data directly from its Users, Participants, and Advertisers through the forms available on the Website and the Application, on your mobile devices or not, or directly on The Social Company through the public accounts of Participants on their Social Networks. These Data is updated directly from the Users. In this respect, Users engage to communicate any updates of the aforementioned Data to the marketing/customer service without delay.

Additionally, the e-mail exchanges are submitted to be registered and preserved in order to improve the quality of our customer service and train our colleagues.

The Advertiser’s Data are also collected on the initial contact and on the execution of the contract connecting the Advertiser with The Social Company.

The Personal Data that You provide us are used on the following processes:

- For the correct and needed execution of the contract for the appropriate functioning of the platform. For example, when You participate in a campaign: acceptance or refusal of your participation, moderation of your post, or confirmation e-mail when you request a password change, etc.
- For the sending of different e-mails at the moment You have given us your consent, from which You may decide if You want to receive them or not on your personal space: - **skwad information e-mails**, which regularly inform you about the latest campaigns posted on the platform, our commercial and promotional offers, present our latest functionalities and keep you updated regarding our activities, etc.

Data obtained by third parties

Data can also be provided indirectly specially through a third party or a safe connection to Application Programming Interface (API), such as Google, Twitter, or Instagram. The privacy policy of these Google services may be consulted on the following link: <http://www.google.com/policies/privacy>.

The Social Company collects data through cookies, especially through the services provided by Google for the behavioral data of internet users collected with the aid of Cookies and the data our publicity partners capture such as LinkedIn and Facebook.

We may also receive Data about you from banks or credit institutions. In that case, we update your Data on our database.

Data involving third parties that You provide us

In the case You transfer Data from another person to us (example: in the context of a recommendation), you guarantee that you have the authority for accepting the process of Data in their name, you receive on their behalf all correspondence relating to their Data and given the case, you consent on their behalf the transfer of their Data abroad.

We do not collect voluntarily the Data of minors of less than 15 years old. However, if you are the parent or legal tutor of this minor and you think that we possess Data of this minor, you may get the Data erased after proving your identity and your legal authority over the minor.

4. Grounds of Data Processing

Once the Data of the User, Participant, Advertiser or provider are processed by The Social Company, only the necessary Data for the purposes of processing are processed.

This data processing is based on the following grounds:

- Compliance with a legal obligation;
- contract implementation;
- lawful interest;
- your consent

In addition, Data whose collection is mandatory are identified as such (e.g., by an asterisk in the forms).

5. Overview table of purposes, processed Data, grounds of Data processing, retention period

The following table summarizes all processed Data, specifying for each purpose: involved Data, people/services that access these Data.

User			
Collection context	Type of Data	Purpose of the processing	Person/service having access to these Data
Creation of a data base	E-mail address; Last name; First name; Name of position; Industry; Name of the Company;	Establishing contact in the view of the collaboration proposal;	Commercial Manager; Marketing Manager.

	Number of employers; Country; Identification on social networks; Navigation data (cookies); Content in demand.	Commercial offers sending.	
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Advertisers			
Collection context	Type of Data	Purpose of the processing	Person/service having access to these Data
Provision of the collaborative service	First name and last name Professional e-mail address Phone number Professional post code address Function Invoices	Contract establishment Provision of an access to the Advertiser's section of the Website Invoice establishment	Commercial Manager
Claims Management	See the box above	Collecting and processing the data regarding delays on the payment of Advertisers in order to prepare, pursue, and follow up a recovery action or a recourse to court and, where appropriate, enforcing the decision made.	The Social Company executive team Third parties (court bailiffs, licensed auctioneer, recovery company, lawyer)
Audit/ acquisition	Totality of the Data	Audit from the potential investors, buyers, purchasers Control of the correct application of our processes Processing Data control from the Advertisers data base	External service provider Potential purchaser

Advertiser relationship management	Totality of the Data	End of contract management (e.g. refund of overpayment...)	Commercial Manager
		E-mail exchanges register	Accounting service provider
		Commercial offer and discount.	Customer Success Manager
		Quality service survey	Onboarding Manager

Participants			
Collection context	Type of Data	Purpose of the processing	Person/service having access to these Data
Provision of the collaborative service	First name and last name Sex, age Main interests E-mail address Phone number Public data available on the account on social networks Postal address Invoices Bank information	Contract establishment Provision of an access to the influencer's section of the Website. A notification sent to the participant in order to propose collaborations according his/her profile and localization (information non-stocked / non-shared with others / non-accessible for other participants).	Commercial Manager Community Manager Advertiser collaborating with the Participant
Online sales service	See the box above	Proposal of an online sales service on the Website	Commercial Manager Advertiser collaborating with the Participant

Claims Management	See the box above	Collection and process of data related to breaches of contractual obligations for the purpose of preparing, pursuing, and following up a legal action or recourse and, where appropriate, enforcing the decision made.	The Social Company executive team Third parties (court bailiffs, licensed auctioneer, recovery company, lawyer)
Audit / acquisition	Totality of the Data	Audit from the potential investors, buyers, purchasers Control of the correct application of our processes Processing Data control from the Advertisers data base	The Social Company executive team External service provider Potential purchaser
Advertiser relationship management	Totality of the Data	End of contract management (e.g. refund of overpayment...) E-mail changes register Commercial offer and collaboration. Quality service survey	Commercial Manager Community Manager Accounting service provider

Providers			
Collection context	Type of Data	Purpose of the processing	Person/service having access to these Data
Provision of a service	First name and last name E-mail address Phone number Contract Invoice and order form	Contract establishment Implementation and follow up of the provision of the service	The Social Company executive team

Providers' claim management	See the box above	Follow up and process of claims in relation to the provider's contract.	The Social Company executive team Legal officer Third parties (court bailiffs, lawyers...)
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6. Who can access your Data?

Within The Social Company, the departments responsible for managing the various processes involved make the Data collected accessible.

The access to Data is strictly reserved to people who need to have access in the framework of their mission within The Social Company.

The table above specifies for each purpose the people and departments of The Social Company likely to have access to the Data involved in the process in question.

7. Recipients and transfers of these Data

For certain purposes, The Social Company has aid from outsourcing services or services providers (e.g., those in charge of the IS maintenance or in charge of administrative services such as accountability) such as IT services providers (e.g., the web hosting provider), SaaS solutions that need access to Data to execute the mission that The Social Company entrust them, including some outside France. In that case, The Social Company imposes strict obligation to these co-contractors regarding the process, privacy and security of Data to which these providers have access.

The Social Company may also communicate the Data to third parties in certain specific cases:

- If The Social Company considers transferring any activity or assets (including transfer of the company exercising this activity or possessing these assets), the Data may be given to the acquirer and the potential buyers in the framework of an audit including their committee.
- If a third party acquires all or part of the assets of The Social Company, the Data will also be a transferred asset. Data will be processed by the acquirer, who will act as the new processing manager, and their Data protection policy will determine the Data processing.
- If The Social Company is required to disclose or provide access to Data to comply with a legal obligation or court order, or to enforce or apply the service contract or any other accepted circumstances, or to protect the rights, property, or safety of The Social Company, its customers, or its employees;
- If law authorizes this transfer made by The Social Company.

The Social Company does not sell the Data to third parties.

8. Retention period of Data

Data (especially the ones related to concluded contracts with The Social Company) are retained for a period of 5 years from the completion of the service whether it is about the completion of a service linking Participants and Advertisers or any other service by a provider.

However:

- User's or Participant's Data will be deleted 3 years after their collection or last contact with the later,
- Regarding pre-litigation process: the Data are retained until the conclusion of a transaction protocol or, failing that, until the prescription of the corresponding legal action;
- Regarding judicial litigation: the Data are retained until the decision has become final.

In general, Data are retained the required time for the accomplishment of the objective pursued at the moment of their collection and in accordance with the recommendations of the National Commission for Computerisation and Freedom (*CNIL* in French) and in compliance with legal obligations, in particular the accountable and fiscal ones.

Furthermore, anonymous data and Users' data may be retained with no limitation of time from the moment they don't have any data.

9. Actions performed on the Data

The following actions are performed on the Data:

- Collection and register of Data.
- Organization or structuring of Data.
- Data hosting or retention through third party software.
- Data consulting.
- Sorting (through a solution edited by a third party).
- External archive.
- Data communication through transmission, diffusion, or any other form at the disposal of the services concerned.
- Modification / Consultation made by the customer or marketing service.
- Erasure or destruction of Data.

10. Localization of Data and security measures implemented

The totality of the User's Data is located at IONOS SARL

7, place de la Gare - BP 70109 - 57201 SARREGUEMINES in France, in compliance with the applicable measures for this type of transfer.

Apart from the case in which a User resides abroad, no data is transferred to a third party outside the European Union, except in the case where The Social Company must notify and/or execute legal acts (summons, judgement, seizure...) abroad taking into account the User resides out the European Union. In that case, the User's Data are transferred to the authorities in charge of notify and/or execute the acts. In any case, The Social Company makes sure that the transferred Data are properly protected in order to ensure their security and integrity.

The Social Company takes all the necessary precautions to ensure the confidentiality and the security of the Data and to prevent the alteration, corruption, or access of unauthorized people. An information system security policy has been implemented. As an example, the access to your Data is limited and restricted only to the people/services that need to access to. These data are saved on secure servers, with the bank information also encrypted. The access to the Data needs the usage of a username and a password.

Nevertheless, the transmission of Data via the Internet is a risk. Therefore, The Social Company does not guarantee the security of Data transmitted via the Internet once The Social Company has respected its commitments regarding security.

11. Exercise of rights

In the framework of The Social Company making Data processing, Users have the right to:

- Have access to the copy of their processed data.
- Have the rectification of data.
- Have the erasure of the totality or a part of the Data once the Data (i) are not necessary anymore to the objectives they were collected, (ii) are based exclusively on consent, (iii) are subject to a demand of payment.
- Oppose to the processing of their Data.
- Have temporary limitation of the processing in case the accuracy of Data is contested, the User opposes the processing, the Data are not necessary to The Social Company but still necessary for the contestation, the exercise or defense of rights in court.
- Unsubscribe or oppose to receiving market research messages at any moment by clicking the "unsubscribe" button in any e-mail or message The Social Company sends.
- Withdraw consent at any moment regarding processing based on consent.
- Get the portability of their Data once the processing is based on consent and on the fact that processing is implemented through automatic processes.
- Provide guidance on the event of their post-mortem Data.
- To file a complaint with the National Commission for Computerisation and Freedom (*CNIL* in French).

For the exercise of User's rights or any question regarding the Privacy Policy herein, User may just send his/her request to the following address: The Social Company – 77 rue Port de Carême – 34470 PEROLS with a copy of his/her ID attached.