

## PRIVACY POLICY AND INFORMATION ABOUT COOKIES

### CLASTIFY

CLASTIFY makes every effort to ensure that the privacy of its Users is protected and that any personal data provided via this website remains confidential.

This Privacy Policy sets out the principles governing the processing of personal data by CLASTIFY Spółka z ograniczoną odpowiedzialnością with its registered office in Warsaw, Poland (hereinafter also referred to as: “CLASTIFY” or “Controller”), obtained through the on-line platform available at: <https://www.clastify.com/> (hereinafter also referred to as the “On-line Platform” or the “Clastify Platform”).

We recommend that you carefully read the Privacy Policy and the Information about Cookies. By accessing or using the On-line Platform and submitting your personal information, you agree to the terms and conditions of this Privacy Policy.

The Clastify Platform may contain links to other websites and web services. However, CLASTIFY is not responsible for the privacy practices of these websites/services. When you navigate to other online platforms, you should read the privacy policies applicable there. This Privacy Policy applies only to the website owned by CLASTIFY.

#### §1. Definitions

Whenever the following terms are used in this Privacy Policy, they shall be understood as follows:

- a. **Controller** – should be understood as CLASTIFY Spółka z ograniczoną odpowiedzialnością with its seat in Warsaw, ul. 16 William Heerlein Lindley Street, 02-013 Warsaw, Poland, KRS [National Court Register Number]: 0000945920, REGON [Statistical Identification Number]: 521036109, NIP [Taxpayer Identification] Number: 7011069370 (further also referred to as: “CLASTIFY”);
- b. **Personal data** – shall be understood as all information about a natural person that may be identified or may be identifiable through one or more factors specific to physical, physiological, genetic, mental, economic, cultural or social identity, including device IP, data about location, internet identifier and information collected through cookies and other similar technology;
- c. **Policy** – shall be understood as this document entitled the Privacy Policy as well as Information about Cookies;
- d. **GDPR** – shall be understood as the Regulation (EU) No. 2016/679 of the European Parliament and of the Council 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;
- e. **On-line Platform/Clastify Platform/Service** – shall be understood as the website operated by the Controller at the following address: <https://www.clastify.com/>
- f. **User** – shall be understood as a natural person who visits the Controller's On-line Platform and uses the services offered by the Controller, such as in particular: account registration and access to materials that are made available, newsletter subscription;

- g. **Cookies** – shall be understood as IT data stored on the User's terminal device, while the User visits the On-line Platform. Cookies are encrypted so that no unauthorized person not access them (hereinafter also: “cookies”).

## §2. General provisions

1. The Controller strives to ensure the security of any personal data provided by Users by implementing appropriate technical and organizational measures to ensure the highest level of security, i.e. in particular, the Controller applies the following solutions that ensure:
  - a. encryption of the connection by means of an SSL certificate.
  - b. ability to continuously ensure confidentiality, integrity, availability and robustness of the processing systems and services;
  - c. ability to quickly restore availability of and access to personal data in the event of a physical or technical incident.
2. The measures applied by the Controller are designed to protect data against accidental or unlawful destruction, accidental loss, alteration, unauthorized disclosure, access and use, and other unlawful forms of processing of personal data.
3. The Controller shall regularly assess the effectiveness of technical and organizational measures to ensure the security of processing.

## §3. Processing of personal data

1. Processing of personal data of the Users in connection with their use of the On-line Platform is carried out in accordance with the provisions of generally applicable law, i.e. in particular in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals 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) - the so-called "GDPR", the Data Protection Act and the Act on the Provision of Electronic Services.
2. The Controller of Personal Data is CLASTIFY Spółka z ograniczoną odpowiedzialnością with its registered office in Warsaw, at 16 William Heerlein Lindley Street, 02-013 Warsaw, Poland, KRS [National Court Register Number]: 0000945920, REGON [Statistical Identification Number]: 521036109, NIP [Taxpayer Identification] Number: 7011069370, e-mail: [support@clastify.com](mailto:support@clastify.com).
3. You may contact the Controller in all matters relating to the processing of personal data within the On-line Platform, including the exercise of the User's rights in relation to personal data:
  - a. by e-mail at: [support@clastify.com](mailto:support@clastify.com)
  - b. in writing at: CLASTIFY Sp. z o.o.  
ul. Williama Heerleina Lindleya 16  
02-013 Warsaw, Poland
4. Within the framework of the User's use of the On-line Platform, the Controller collects the User's personal data to the extent necessary to provide individual services offered by the Controller via the On-line Platform as well as usage data contained in cookies. The processing of User data is associated in particular with:
  - a. registration and maintenance of the User's account (e-mail address, user name, exam date/status, likes and other reactions to materials, downloaded/shared materials),

- b. subscription of Clastify PREMIUM by the User (e-mail address, name of the User) – CLASTIFYCLASTIFY does not collect the data of User's payment card - this information is transferred directly to a third party payment processor,
  - c. provision of the AI Review service (e-mail address, name of the User, title of the essay, level, exam session) – CLASTIFY does not collect the data of User's payment card - this information is transferred directly to a third party payment processor,
  - d. subscription to the so-called newsletter by the User (user name, exam date/status, e-mail address),
  - e. handling the contact form (user name, e-mail address),
  - f. processing the "Feature Requests", i.e. requests for introducing a functionality (optional: name of the user, e-mail address),
  - g. ensuring proper operation of the Service, improving its functionality and possible advertising activities (usage data contained in cookies, such as in particular: IP address, browser type, browser version, User activity on the Clastify Platform).
5. The legal basis, the purpose of personal data processing, as well as the period of personal data processing depend on the situation in which the User's personal data is transferred to the Controller. Within the framework of the functioning of the On-line Platform, the following legal bases, purposes and periods of the processing of personal data are distinguished:
- a. in terms of **account registration and handling as well as subscription of Clastify PREMIUM:**
    - legal basis for the processing of personal data is art.6 (1)(b) of the GDPR, because the processing is necessary to take actions related to the conclusion of the agreement in terms of registering an account on the Clastify Platform and its maintenance or in terms of granting the User a subscription to Clastify PREMIUM, as well as art. 6(1)(f) of the GDPR due to the Controller's legitimate interest, which consists in the possible determination, investigation or defence of possible claims, if any, arising from the concluded agreement,
    - processing takes place for the period necessary to achieve the purpose of the processing, i.e. for the time of holding an account on the Clastify Platform or for the duration of the subscription to PREMIUM materials, and after this period, for the purposes and for the period required by law or to secure possible claims; data that is processed based on the legitimate interest of the Controller may also be processed until an objection is raised as per the provisions of art. 21 of the GDPR,
  - b. in terms of **provision of the AI Review service:**
    - legal basis for the processing of personal data is art.6 (1)(b) of the GDPR, because the processing is necessary to take actions related to implementation of agreement for assessment of the essay, as well as art. 6(1)(f) of the GDPR due to the Controller's legitimate interest, which consists in the possible determination, investigation or defence of possible claims, if any, arising from the concluded agreement,

processing takes place for the period necessary to achieve the purpose of the processing, i.e. for the time of assessment of an essay, and after this period, for the purposes and for the period required by law or to secure possible claims; data that is processed based on the legitimate interest of the Controller may also be processed until an objection is raised as per the provisions of art. 21 of the GDPR,

c. in terms of **subscription of the so-called “newsletter”**:

- the legal basis for the processing of personal data is art. 6(1)(a) of the GDPR, i.e. the consent given by the User to receive commercial information via the e-mail address indicated in a form or by e-mail, as well as art. 6(1)(f) of the GDPR due to the Controller's legitimate interest consisting in direct marketing of its own goods and services;
- processing takes place for the period necessary to achieve the chosen purposes, i.e. for the time of preparing the newsletter by the Controller, but not longer than until the withdrawal of respective consent by the User, and after this period for the purposes, for the period, and in the scope required by legal regulations or to secure possible claims, if any; the data processed on the basis of the legally justified interest of the Controller can also be processed until an objection is raised as per the provisions of art. 21 of the GDPR,

d. in terms of **processing of the contact form and “Feature Requests”**:

- the legal basis for the processing of personal data is art. 6(1)(a) of the GDPR, i.e. the consent expressed by the User when sending a message/question/request to the Controller, which is necessary in order to reply to this message/question or to process this request, as well as art. 6(1)(f) of the GDPR due to the Controller's legitimate interest consisting in the possible determination, investigation or defence of possible claims, if any, under the concluded agreement,
- processing takes place for the period necessary to achieve the purpose of the processing, i.e. for the time of processing the message/question/request but not longer than until the withdrawal of respective consent by the User, and after this period, for the purposes and for the period required by law or to secure possible claims; data that is processed based on the legitimate interest of the Controller may also be processed until an objection is raised as per the provisions of art. 21 of the GDPR,

d. in terms of usage data **included in cookies**:

- the legal basis for the processing of personal data is art. 6(1)(a) of the GDPR, i.e. consent given by the User by way of defining the settings of their Internet browser and confirming the consent to cookies after entering the Clastify Platform, as well as art. 6(1)(f) of the GDPR due to the Controller's legitimate interest that consists in maintaining the functionality of the Service and carrying out external advertising campaigns;

- the processing takes place for the period necessary to achieve the chosen purposes, i.e. for the time of operating the Clastify Platform and carrying out the advertising campaigns, but not longer than until the withdrawal of respective consent by the User, and after this period for the purposes, for the period, and in the scope required by legal regulations or to secure possible claims, if any; the data processed on the basis of the legally justified interest of the Controller can also be processed until an objection is raised as per the provisions of art. 21 of the GDPR,
6. The recipients of the personal data may be the entities with whom the Controller has concluded data processing entrustment agreements as well as the entities cooperating with the Controller, such as: accounting or IT service providers.
  7. The Controller does not intend to transfer your personal data to a third country (a third country is to be understood as a country outside the EU and the EEA). However, in case of transferring personal data to third countries, we will apply adequate legal instruments ensuring safety of this data.
  8. The Controller does not make any automated decisions nor applies the profiling of personal data of the Users.
  9. Providing your personal data is voluntary but necessary to use the services offered by the Controller.
  10. At any time, the User has the right:
    - a. to obtain confirmation from the Controller as to whether it is processing the User's personal data, as well as the right to have access to such data, including the right to request a copy of the data (art. 15 GDPR),
    - b. to demand to rectify the User's personal data, if inaccurate, or to supplement them (art. 16 GDPR),
    - c. to demand to immediately delete personal data concerning the User in the cases and within the scope indicated in art. 17 GDPR,
    - d. to demand to limit the processing of personal data of the User in the cases and within the scope indicated in art. 18 GDPR,
    - e. to move personal data of the User in cases and within the scope indicated in art. 20 GDPR,
  11. The User also has the right to object at any time, for reasons indicated in art. 21 of the GDPR, to the processing of personal data as per art. 6(1)(e) or (f) of the GDPR.
  12. At any time, the User has the right to withdraw their consent to the processing of personal data, which does not affect the validity of the processing prior to the withdrawal of consent.
  13. The User also has the right to file a complaint to a supervisory authority if he/she becomes aware of any unlawful processing of his/her data by the Controller. The supervisory authority established under the provisions of the Data Protection Act of May 10th, 2018, is: Prezes Urzędu Ochrony Danych Osobowych [*President of the Office for Personal Data Protection*], ul. Stawki 2, 00-193 Warsaw, Poland.
  14. The above-said, detailed rules for the processing of personal data, including in particular a number of rights to which the User is entitled in this regard, are presented to the Users each time they submit personal data, and are then available to the Users at any time in this Privacy Policy.

#### **§4. Information about cookies**

##### **a. PURPOSE OF STORING AND GAINING ACCESS TO INFORMATION.**

1. Information contained in cookies is collected automatically while using the On-line Platform.

The following types of cookies are distinguished:

- a. Necessary cookies - files necessary for the On-line Platform to be displayed correctly to the User (the User's consent is not necessary for the processing of these files),
  - b. Functional cookies - files that make it possible to remember the choices made by the User on the On-line Platform (consent of the User is necessary for their processing),
  - c. Statistical cookies - files that collect statistical data about Users and their behaviour on the website (consent of the User is necessary for their processing),
  - d. Advertising cookies - files that enable external advertising campaigns (User consent is necessary for their processing).
2. Cookies are the IT data (usually short text files) stored in the User's terminal devices while he/she uses the Service. The purpose of their collection is the proper functioning of the Service, increasing its functionality and carrying out external advertising campaigns.
3. Cookies are encrypted so that no unauthorized person not access them. In addition, cookies usually collect general data on User location, the way he/she started using the Service, how long cookies are stored on the end device, etc.
4. The entity that places cookies on terminal device of the Service User and has access to them is CLASTIFY, i.e. the Controller.
5. Cookies are used by the Controller (depending on the scope of consents given for the cookies), in order to:
- ensure safety and reliability of the Service (maintaining session),
  - adjust the content of the On-line Platform's websites to the User's preferences, in particular to display content in the language chosen by the User (e.g. remembering not to allow certain content to be displayed in the future, adjusting the content of advertisements displayed on the website and in the advertising network);
  - create statistics that help understand how users of the On-line Platform use websites, making it possible to improve their structure and content (among others, measuring user traffic on these websites);
  - certain transmission data (in particular IP addresses) are used to gather general, statistical demographic information (e.g. about the region from which the connection is made).

##### **b. CONDITIONS OF STORING OR GAINING ACCESS TO INFORMATION.**

1. Storing information in Cookies or accessing it does not cause any changes to configuration of the User's telecommunication terminal device and software installed in this device.
2. Properly configured Cookies are safe and allow information to be read only by the server that created it. Cookies do not destroy or damage the system on the User's device, stored files, or intentionally adversely affect its performance or functionality. Identification is done impersonally and namelessly, and this is just data concerning the way and form of use of the On-line Platform.

3. The On-line Platform uses one main type of cookies: the necessary "*persistent*" cookies. The "persistent" Cookies are stored in the User's terminal device for the time specified in the parameters of cookies or until they are deleted by the User.
4. Taking into account the purpose for which the Controller uses Cookies, they are classified to the following types:
  - a. "functional" Cookies that make it possible to "remember" settings selected by the User and personalize the User's interface, e.g. with regard to the selected language or region of origin of the User, font size, website layout, etc.;
  - b. "performance" Cookies - collect information on how the User uses the On-line Platform, including the most frequently visited pages and error messages;
  - c. "statistical" Cookies - used to count statistics about the On-line Platform.
5. Internet browsing software (internet browsers, for example Google Chrome, Internet Explorer, Mozilla Firefox) allows the storage of cookies on the User's terminal device by default.
6. Users of the On-line Platform can, however, at any time change their cookie settings.
7. These settings can be changed, in particular, in such a way as to block the automatic handling of cookies in the settings of the Internet browser or inform on their placement in the device of the On-line Platform User each time. Detailed information about the possibility and methods of using cookies is available in the software settings (web browser), most often in the privacy settings section.
8. In order to make it easier for the user to change their personal settings, CLASTIFY has made it possible to select cookies (user preferences) in a clear and accessible way already from the main page of the Service (cookie banner). The User may select only essential cookies or also functional cookies. By clicking on the various icons, the User has the opportunity to learn in detail about, among other things, the purpose of the processing and the technologies used. The User also has the possibility to control the exact dates of acceptance, modification or refusal of his/her privacy settings at all times.
9. Regarding the most commonly used browser, Google Chrome, the Controller presents the following general instructions on how to use cookies:
  - 1) Click on the menu (in the upper right corner), then on the Settings tab,
  - 2) In the "Privacy" section, click on the "Site Settings" button.
  - 3) In the "Cookies and site data" section, you can change the following cookie settings:
    - deleting cookies,
    - blocking cookies by default,
    - keep cookies and site data by default until the browser is closed,
    - setting exceptions for cookies from specific sites or domains.
15. The Controller also indicates hyperlinks to information about cookie settings presented by the most popular web browsers:
  - a. Chrome: <https://support.google.com/chrome/answer/95647?hl=en>
  - b. Explorer: <https://support.microsoft.com/en-us/help/17442/windows-internet-explorer-delete-manage-cookies>

- c. Firefox:  
<https://support.mozilla.org/en-US/kb/cookies-information-websites-store-on-your-computer>
- d. Opera: <https://help.opera.com/en/latest/web-preferences/#cookies>
- e. Safari:  
<https://support.apple.com/guide/safari/manage-cookies-and-website-data-sfri11471/mac>

16. The Controller may use the data obtained through the use of cookies if the User agrees to it. Withdrawal of consent indicated above is done by deleting Cookies from your Internet browser.

#### §5. Tools (plug-ins) used

1. In particular, CLASTIFY uses the following tools (plug-ins) available to website administrators in order to improve the quality of services that are provided and to optimise its offer.
2. For more detailed information on the purposes and scope of data collection and processing by the tool (plug-in) providers, please refer to their privacy policies:

TYPE OF A TOOL (PLUGIN)	DATA PROCESSING ENTITY (DATA RECIPIENT)	PURPOSE OF USING
Google Analytics	Google, LLC with its seat in Mountain View (California, USA)	measuring traffic on the On-line Platform, creating statistics, profiling users, analysing users' activities, measuring effectiveness of advertising campaigns, managing advertising campaigns, reporting errors  <a href="https://www.google.pl/intl/pl/policies/privacy">https://www.google.pl/intl/pl/policies/privacy</a> <a href="http://www.google.com/ads/preferences/">http://www.google.com/ads/preferences/</a>
Stripe	Stripe, Inc. from San Francisco (California, USA)	credit/debit card processing, charging subscription fees
ChartMogul	Chartmogul, Ltd. from Berlin (Germany)	analysing data from payment transactions
Segment	Segment.io, Inc. from San Francisco (California, USA)	measuring traffic on the On-line Platform, collecting analytical data
Mixpanel	Mixpanel, Inc. from San Francisco (California, USA)	user profiling, analysis of user activity
Fullstory	Fullstroy, Inc. from Atlanta (Georgia, USA)	user profiling, analysis of user activity



Amplitude	Amplitude, Inc. from San Francisco (California, USA)	user profiling, analysis of user activity
AWS	Amazon Web Services, Inc. from Seattle (Washington, USA)	platform hosting, file storage
MongoDB Atlas	MongoDB, Inc. from New York (New York, USA)	database hosting
Hubspot	HubSpot, Inc. from Cambridge (Massachusetts, USA)	managing customer contact
Mailgun	Mailgun Technologies, Inc. from San Francisco (California, USA)	handling e-mail correspondence
Mailchimp	Mailchimp, Inc. from Atlanta (Georgia, USA)	handling the newsletter
PayPal	PayPal Holdings, Inc. from San Jose (California, USA)	handling payment transactions <a href="https://www.paypal.com/webapps/mpp/ua/privacy-full">https://www.paypal.com/webapps/mpp/ua/privacy-full</a>

## §6. Final provisions

1. CLASTIFY reserves the right to make changes to this Privacy Policy.
2. This Privacy Policy takes effect on 27.01.2023
3. The Users have continuous access to this Policy at:  
<https://d2oe9foggkc3hl.cloudfront.net/static/legal/privacy-policy.pdf>