

# Privacy Policy

Fidelio Digital S.A.S.

privacy@marketing-pal.com

At marketing-pal.com, we respect our customers and understand that you are concerned about privacy. Our practices comply with applicable U.S. laws and requirements. We are located in Latin America and this is an U.S.-based website. By using this site, you agree to the transfer of your personal information to or within the United States.

All information provided will be used according to the following Privacy Policy and in accordance with the Data Protection Legislation established through the General Data Protection Regulation 2016/679 (in case of data coming from or going to the European Union), all applicable regulations in the United States and the US national legislation. Fidelio will be responsible for whatever happens related to the protection of individuals with regard to the processing of personal data to which Fidelio is subject.

If you have any questions about this Privacy Policy and the use of your information, please go to the "Your rights" section. Also, you can email us your questions or requests to [privacy@marketing-pal.com](mailto:privacy@marketing-pal.com).

Please note that this Privacy Policy applies to the information we collect through the agreement or contract that formalizes this business relationship.

## **Introduction and changes to the Privacy Statement**

All references to 'our', 'we', 'company' or any fourth person conjugation of any verb (we collect, process, etc.) are deemed to be within this policy notice (the "Privacy Policy ") and within any consent notice they refer to Fidelio Digital SAS, hereinafter Fidelio, its subsidiaries, affiliates and associates located inside and outside of Latin America.

We strive to protect your personal privacy and your user's privacy as well. We provide this Privacy Policy to explain what we can do with any personal information that we collect from you.

## **Your consent to this privacy statement**

By providing your personal data, you are accepting our Privacy Policy and explicitly request that Fidelio process, collect, use and disclose the personal data of its users as described in this Privacy Policy, including confidential personal data.

We may also process personal data to comply with a legal obligation (among others) or, in this case, to fulfill a legitimate business objective. Take all reasonable steps to ensure that

we only collect personal data that is necessary to achieve this goal and will not use it for any other purpose, not provided for in this Privacy Policy.

If you do not agree with any part of this Privacy Policy, do not provide us your personal data or that of your users. However, consider that this information is the input to deliver relevant content, design better campaigns and structure better sites to improve the experience of your users and perform statistical data analysis to facilitate decision making.

If, once you have provided such information, you want it to be changed or completely removed from our systems, please let us know and we will endeavor to comply with your request, see the section "Your rights" and the section "Information on retention, cancellation of subscription, access, and other questions".

### **What do we mean by Personal Data?**

Personal data is defined in the Data Protection Legislation as any information that relates to an identified or identifiable person. In the context of digital campaigns, such information may include your gender, age, address, email address, and education and employment history, among other fields of data.

Personal data for these purposes do not include aggregated anonymous information or the name, address and telephone number of a company that is not related to an identifiable person.

Therefore, it does not include aggregate data (sums, averages, groupings, overall findings) that we may collect to understand users and customer diversity and to enable us to improve a campaign.

### **Your consent by letting us receive and process your Personal Data**

You can decide what personal data you provide to us to fulfill our joint business objectives.

You can also choose to provide us with personal data if, for example, we exchange information through email, telephone conversations or means that we have defined for communication. You can also submit personal data by requesting us to provide you with processed information.

By providing personal data to us, you confirm that you request the collection and processing of such information in order to: (i) signing a commercial contract with you, (ii) establish smart media campaigns, for example, personalized mailings or targeted advertising, and designing websites for this purpose; or (iii) to comply with a legal obligation (among others).

### **Sensitive Personal Data**

Sensitive personal data is information related to:

- (a) racial or ethnic origin;
- (b) political opinions;
- (c) religious beliefs or philosophical beliefs;
- (d) membership in a union;
- (e) health;
- (f) sex life and sexual orientation;
- (g) genetic data; or
- (h) biometric data that is processed to uniquely identify a person.

For the most part, it is information that we do NOT require as part of our process of identifying insights in data (storage, processing and visualization); however, if we collect these data fields, it will be for our legitimate interests, such as ethnic origin information that we may require for the construction of smart content targeting a specific audience. In such cases, we will inform you of the specific case with a proposal to address it and a written authorization request.

When permitted by law, we may give you the option of providing us with confidential personal data so that we can monitor and promote opportunities for improving customer service and improving the experience when offering services.

Your confidential personal data may also be processed by automated means to positively promote fairness in business decision making.

If you provide us with confidential personal data, for example, if you inform us of your users' membership of a particular political party, you are allowing us to collect and use that data for any appropriate commercial use.

### **What do we use the personal data of your users for?**

Once we have collected your users' personal data through access to information systems, or the media, we may use or disclose it in one or more of the following ways. These go under 'Legitimate interest' or 'Required for legal compliance':

1. **Business opportunities:** we may use the personal data of your users to identify behavioral patterns that result in a significant improvement in the service experience, an efficiency in operations or an increase in sales, among others.
2. **Communications:** with the information collected, we have the consent to send communications to users aimed at informing and encouraging the use of your company's products and services; as well as delivering relevant information about your brand.

3. **Analytics:** We may use the information to analyze market behavior, assess competitive trends, and measure website traffic. We may also provide this information to certain third party agencies acting on our behalf, for example platforms that assist us with data processing and visualization, as appropriate. We may also use your personal data analysis or benchmarking activities on an aggregate or statistical level to support the legitimate business interests and performance of the company and to improve the service offering to users in general. We may also share non-personal data with others, such as our service providers and advertisers, in an aggregated anonymous way, which means that the information will not contain any personally identifiable information about its users.

4. **Sale or Transfer:** in the event of a sale, merger, consolidation, change in control, transfer of substantial assets, financing, reorganization or liquidation of Fidelio, we may transfer or assign to third parties information about your relationship with us, including the personally identifiable information you have provided to us.

5. **Legal purposes:** we may collect, use or disclose the personal data of its users if the law allows it or if it is required by law or when we consider that such action is necessary to detect, protect or defend us or third parties against negligence by mistake, breach of contract, theft, fraud and other illegal or harmful activities, to comply with our audit and security requirements; and to audit compliance or corporate policies, legal procedures, and contractual obligations.

6. **Transfer outside of Latin America:** we may transfer the personal data of its users to other Fidelio entities anywhere in the world as necessary for the uses identified in this Privacy Statement. In particular, the data we collect may be transferred and stored in a destination outside of Latin America, provided that the user accessing them is authorized and complies with the access security protocols. The countries to which we transfer data may not operate an equivalent level of data protection standards, although we confirm that we will take reasonable steps to try to ensure that your personal data is treated securely and in accordance with this Privacy Statement and Data Protection Legislation. This includes having agreements in place with our service providers or other recipients of their users' personal data to ensure their security.

### **Disclosure of personal data**

In addition to the disclosures required for the uses identified above, from time to time we may disclose personal data to the extent necessary to:

Our service providers and subcontractors, including our affiliates and associated subcontractors, may have access to the information, after signing a confidentiality agreement. They can carry out data processing activities; software development; hosting and managing websites; information technology and office services; Legal, accounting, auditing and other professional service providers and any other third party where required by law.

### **Safety**

We take your personal data security very seriously and have put in place appropriate technical and organizational measures designed to safeguard the information we collect and use.

We operate privileged access to user accounts through security access profiles, established through internal work profiles, so that only those teams that need to process the data will have access to them.

However, the transmission of information by Internet and email is not completely secure and we cannot guarantee the security of your information at each query. Therefore, we recommend that you enable access to confidential information strictly necessary for the efficient execution of the contractual objectives.

### **Your rights**

You have the right to ask us not to process your users' personal data for any purpose. Generally, we will inform you (before collecting your data) if we intend to use your data for the specific purpose or if we intend to disclose your information to third parties.

Under data protection legislation, you also have the following rights in relation to the personal data you give us:

- If the information is incorrect or incomplete, you can request that it be rectified.
- You can request that the information be deleted
- You can tell us that you no longer agree with us by using your information and ask us to stop using your information.
- You can ask us to send you the information we have about you or your users and ask us to send it to another person through a request for access to a third party by sending it to the email [privacy@marketing-pal.com](mailto:privacy@marketing-pal.com) with the subject "Request for access to third party" of the email or letter. You must state the reason for the request and specify exactly what data you would like to see and the time periods to which it refers to.
- You can ask us not to use your information in such a way that computers can make decisions about your data, for example in automating mailings, and request that we stop (although this would mean that we could not consider massive campaigns and automated audience reach).

If you have any questions, concerns or complaints regarding privacy, please contact us by email: [privacy@marketing-pal.com](mailto:privacy@marketing-pal.com)

### **Information about retention, unlinking, access, and other questions**

As part of our commitment to your privacy and that of your users, we do not seek to retain personal data for longer than necessary.

Personal data will be retained in accordance with Fidelio's record retention protocol and will be based on relevant legal and business requirements. We have a legitimate interest in

keeping your data in order to fulfill contractual objectives and also in order to request the information for legal defense implications. We will keep the data for 5 year after we finish using them for these purposes. You can contact us through [privacy@marketing-pal.com](mailto:privacy@marketing-pal.com) to clarify related doubts.

You can ask us to securely delete personal data before the end of the relevant retention period. However, considering the points of the section "How we use the personal data of its users", we will continue to retain personal data until (i) complete contractual obligations, (ii) make modifications to the contract that request the elimination of personal data or (iii) the period established after the end of the contract has expired.

### **Automatic decision making**

At different stages of the execution of the contract; we may use automated means to send relevant information to users. This can be done to satisfy legitimate interests or for legal requirements

### **Cookies**

Cookies are commonly used on the Internet and, like many websites, we use them to help us collect and store information about website visitors.

Cookies are text files containing small amounts of information that are downloaded to your device when you visit a website. Cookies are sent back to the originating website on each subsequent visit or to another website that recognizes that cookie. Cookies are useful because they allow a website to recognize a user's device.

Cookies do many different jobs, such as allowing you to navigate between pages efficiently, remembering your preferences, and generally improving your experience. They can also help ensure that the ads you see online are more relevant to you and your interests.

We use two general types of cookies: (a) First-party cookies (which we provide directly to the device when the user visits a web page) and (b) Third-party cookies (which are provided by a third party that represents us when the user visits a page website and some third-party websites with whom we have partnered. The cookies we use can be divided into four general categories: (1) Strictly Necessary Cookies, (2) Performance Cookies, (3) Functionality Cookies, and (4) Cookies Targeting or Advertising Cookies.

### **General**

The websites that we establish may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that

we do not accept any responsibility or liability for these policies. Please check these policies before submitting personal data to these websites.

As necessary, this Privacy Statement will be supplemented by additional legal requirements in the jurisdictions where we do business. Nothing in this Privacy Statement or otherwise will create, or add to, any right or claim (whether legal, equitable or otherwise) that any person or persons may have under the law or otherwise against the company or a third party. or any of their respective directors, officers, employees, agents or representatives; nor will the existence of this Privacy Statement or its application impose or increase any obligation or liability on Fidelio that Fidelio may not otherwise have under the law.

Effective Date: Aug 3rd, 2021