

PRIVACY AND COOKIES POLICY OF SPORTANO.COM ONLINE STORE

This Privacy and Cookies Policy of the Online Store (hereinafter: "Policy") is provided for information purposes which means that is not a source of obligations for the persons visiting the Online Store. All terms capitalised and not defined in the Policy shall have the meaning assigned in the [Online Store Terms and Conditions](#). All questions or doubts connected with the processing of your personal data can be sent to the following e-mail address:

gdpr@sportano.com

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I. PURPOSE OF THE POLICY

The purpose of this Policy is:

- a)** presentation of the principles of processing of personal data by the Controller in the Online Store (including the Mobile Application), and by making it available - notifying the data subjects of the processing of their personal data under Regulation (EU) 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 (General Data Protection Regulation) (hereinafter: "GDPR");
- b)** explanation of your rights in relation to the personal data processed by the Controller and methods of securing them;
- c)** information about the cookies used by the Online Store and terms of their acceptance.

II. GENERAL PROVISIONS

1. The Controller of your personal data collected through the Online Store (including the Mobile Application) and the entity running the Online Store is SPORTANO.COM spółka z ograniczoną odpowiedzialnością with registered office in Zielona Góra (ul. Wrocławska 17B/15, 65-427 Zielona Góra), entered in the register of entrepreneurs kept by the District Court in Zielona Góra, Commercial Division VIII of the National Court Register (KRS) under number 0000896178, NIP (Tax Identification Number) 9731077223, REGON (Polish National Official Business Register) 388722422, BDO (Waste Database) 000550240, website address: www.sportano.com, electronic mail address: contact@sportano.com, telephone number: [+48 68 413 90 20](tel:+48684139020) (toll as

for a standard call - according to the pricelist of the relevant operator) (hereinafter: "Controller").

2. In all matters related to protection of personal data, the Controller can be contacted at the following e-mail address: gdpr@sportano.com.

3. The Controller declares that it acts with due diligence to protect the interests of the data subject. In particular, it warrants that:

a) it processes the personal data in compliance with the law, reliably and transparently for the data subject;

b) it collects the personal data for specific, clear and legitimate purposes and does not process them further in a manner not compliant with those purposes;

c) the personal data are adequate, appropriate, and limited to the extent necessary for the purposes of their processing;

d) the personal data are correct and updated if needed;

e) it stores the personal data in a form allowing identification of the data subject for the maximum period necessary to pursue the purposes of their processing;

f) it processes the personal data in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

4. Providing personal data is voluntary but necessary to pursue the purposes specified in Clause III below.

III. PURPOSES AND BASES OF PERSONAL DATA PROCESSING

Your personal data can be processed for various purposes and based on different legal bases, depending on the functionalities of the Online Store you use, especially for the purpose of conclusion and performance of the contracts concluded with you, marketing, analytical or statistical activities, improvement of the quality of services, performance of the relevant legal obligations imposed on the Controller. For details, see below.

1. ONLINE STORE ACCOUNT / ELECTRONIC SERVICES

The personal data provided by you in connection with creation of the Online Store Account as well as other personal data obtained in connection with your activity in the Online Store and use of the Electronic Services are processed mostly to enable your registration in the Online Store and for the purpose of operation of your Account as well as use of other available Electronic Services. The legal basis for processing of your personal data for this purpose is the requirement for performance of the Service Contract concluded with the Controller – Article 6(1)(b) of GDPR. Your personal data can be also processed for the purpose of marketing, analytical and statistical activities as well as pursuit or defence of potential claims. In such a case, the legal basis for processing of your personal data is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR.

2. PLACEMENT OF ORDERS AND PERFORMANCE OF THE SALE CONTRACT

The personal data provided by you in connection with placement of Orders and conclusion of the Sale Contract in the Online Store are processed mainly for the purpose of execution of the purchase process, i.e.:

a) for the purpose of execution of your Order and performance of the concluded Sale Contract. The legal basis for processing of your personal data for this purpose is the requirement for performance of the Sale Contract concluded with the Controller – Article 6(1)(b) of GDPR.

b) for the purpose of settlement of your Order and the concluded Sale Contract, including issue and retention of documents regarding sale, processing of returns and complaints. The legal basis for processing of your personal data for this purpose is fulfilment of the obligations imposed on the Controller under the applicable law, including accounting and tax obligations – Article 6(1)(c) of GDPR.

Your personal data can be also processed for the purpose of marketing, analytical and statistical activities as well as pursuit or defence of potential claims. In such a case, the legal basis for processing of your personal data is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR.

3. CONTACT WITH THE CUSTOMER

The personal data provided by you in connection with contact with the Controller via electronic mail, by telephone or via the contact form are processed mainly for the purpose of processing of your request and providing a reply. The legal basis for processing of your personal data for this purpose is the legitimate interest of the Controller – Article 6(1)(f) of GDPR.

Your personal data can be also processed for the purpose of marketing, analytical and statistical activities as well as pursuit or defence of potential claims. The legal basis for processing of your personal data for this purpose is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR.

4. NEWSLETTER

If you sign up for the Newsletter (grant consent for receipt of commercial information), your personal data are processed to send marketing content to you (receipt of the Newsletter). The legal basis for processing of your personal data for this purpose is the requirement for performance of the Newsletter contract concluded with the Controller – Article 6(1)(b) of GDPR. Your personal data can be also processed for the purpose of marketing (not related to the Newsletter), analytical and statistical activities as well as pursuit or defence of potential claims. In such a case, the legal basis for processing of your personal data is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR.

5. NOTIFICATION OF PRODUCT AVAILABILITY

The personal data provided by you in connection with your interest in receiving notifications of Product availability shall be processed for the purpose of sending you a notification of availability of the selected Product. The legal basis for processing of your personal data for this purpose is the requirement for performance of the Product availability notification service contract concluded with the Controller – Article 6(1)(b) of GDPR.

Your personal data can be also processed for the purpose of marketing, analytical and statistical activities as well as pursuit or defence of potential claims. In such a case, the legal basis for processing of your personal data is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR.

6. BLOG

If you use the Blog, the moment you start using it (i.e. upon proper launch of the service consisting in display of the relevant URL address – <https://sportano.pl/blog/>, especially by entry

in the address bar of web browser of the address: [https://sportano.pl/blog/.](https://sportano.pl/blog/)), your personal data are processed to make the content and materials published on the Blog available to you. The legal basis for processing of your personal data for this purpose is the requirement for performance of the Blog service contract concluded with the Controller – Article 6(1)(b) of GDPR.

Your personal data can be also processed for the purpose of marketing (not related to the Blog), analytical and statistical activities. In such a case, the legal basis for processing of your personal data is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR – consisting in marketing of products or services.

Furthermore, your personal data can be processed to pursue and establish claims or to defend against any potential claims. In such a case, the legal basis for processing of your personal data is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR – consisting in the legal need for demonstration of facts or defence of interests.

IV. PERIOD OF PROCESSING

1. Your personal data are processed:

a) in connection with creation of the Account or use of other Electronic Services – for the period of existence of the Account or use of other Electronic Services;

b) in connection with placement of the Order or conclusion of the Service Contract – for the period required to execute the Order and perform the concluded Sale Contract, including settlement of the Order and concluded Sale Contract as well as fulfilment of the legal obligations connected with the concluded Contract (accounting and tax obligations);

c) in connection with contact with the Controller – for the period required to process your request and provide a reply;

d) in connection with conducted marketing, analytical or statistical activities – for the period of existence of the legitimate interest of the Controller or a third party, alternatively until you submit an objection to such processing;

e) in connection with the service provided by the Controller in the form of notifying you of Product availability – for the period required to notify you of Product availability (the period may vary depending on the Product selected by you).

2. Furthermore, in any case, your personal data can be also processed for the period necessary for:

a) performance of the Controller's obligations under the applicable law;

b) pursuit or defence against potential claims - for the prescription period provided for by the applicable law.

3. The period of storage of your personal data may vary depending on the scope of the personal data and purposes of their processing. In any case, the longer period of storage of personal data shall apply.

V. RECIPIENTS OF PERSONAL DATA

1. The Controller can make your personal data available to the third parties it cooperates with in running the Online Store. These may include entities that provide technical assistant in running the Online Store, e.g. hosting service or ICT service providers, carriers or agents delivering the

ordered Products, entities processing electronic or card payments, companies providing support in communication with customers and marketing campaigns as well as providers of legal and advising services. The third parties the Controller makes the personal data available to in the Online Store are obliged to apply appropriate measures ensuring security and protection of your personal data. Your personal data can be also transferred to the companies belonging to the capital group of the Controller.

2. In principle, your personal data are processed within the territory of the European Economic Area (hereinafter: “EEA”). However, in connection with the Controller’s cooperation with third parties in the scope of the operation of the Online Store, your personal data may be transferred to a country outside the EEA where the entity cooperating with the Controller maintains the tools used to process the personal data in cooperation with the Controller. In the case of such a transfer of data, it shall be done only to the extent necessary and connected with the services provided by such entities to the Controller.

3. In the case of transfer of personal data to any entities domiciled outside the EEA, the Controller ensures fulfilment of the requirements provided for in Chapter 5 of GDPR, including application of the appropriate transfer security measures in the form of standard contractual clauses adopted under the decision of the European Commission. You can obtain a copy of the security measures applied for the personal data transferred outside the EEA contacting the Controller at the following e-mail address: gdpr@sportano.com.

VI. RIGHTS OF DATA SUBJECTS

The data subject has the right to:

- a)** access to his/her personal data (including but not limited to receipt of information on which personal data are processed);
- b)** request rectification and restriction of processing of personal data (e.g. if they are incorrect);
- c)** request erasure of personal data (e.g. if they are processed in breach of the law);
- d)** transfer the personal data (data portability) he/she supplied to the Controller and which are processed in an automated manner, and where the processing is based on a consent or the basis of requirement for the purpose of performance of the contract, e.g. to another controller;
- e)** withdraw the consent (to the extent the consent is the basis for processing) at any time, it being understood that withdrawal of the consent does not affect the processing carried out by the Controller lawfully prior to its withdrawal;
- f)** object to the processing of his/her personal data based on the premise of requirement for the purposes resulting from the legitimate interests of the Controller or a third party, including but not limited to processing for marketing purposes;
- g)** file a complaint with the President of the Personal Data Protection Office.

VII. COOKIES

1. The Controller uses cookies (small text files) or files of similar functionality, stored in your end device in connection with use of the Online Store.

2. Cookies allow us to ensure proper functioning of the Online Store and execution of its primary functions. We may also use them to analyse the use of the Online Store, customise it to your interests and present customised advertising content.

3. Cookies collect various types of information which, in principle, are not personal data (they do not allow to identify you). Certain information, depending on their content and method of use,

may be, however, attributed to a certain person and, thus, considered as personal data. In relation to information of this type, the provisions of the Policy regarding personal data apply accordingly. To the extent the cookies contain your personal data, the basis for their processing is the legitimate interest of the Controller or a third party – Article 6(1)(f) of GDPR.

4. The Online Store uses two main types of cookies:

a) “session cookies” – temporary files stored in your end device until you leave the website or turn the software (Internet browser) off; and

b) “persistent cookies” – files stored on your end device for the period set in the cookies parameters or until you delete them.

5. In addition to the necessary cookies (which we use to guarantee proper operation of the service and its safe use), we may also use the following types of cookies in the Online Store:

a) analytical and functional – cookies used to analyse the method of use of the Online Store. They allow us, among other things, to determine the number of Online Store visitors as well as detect irregularities in its functionalities and to improve it continuously. These cookies also make the use of the Online Store easier for you (e.g. by saving your information and settings);

b) marketing – cookies used to present advertisements customised to your interests; they can also be used to adapt the content and advertisements presented to you by the third parties we cooperate with.

6. In many cases, the web browser allows storage of cookies in the user’s end device by default. You can delete the cookies stored on your end device or disable their saving in the settings of your web browser at any time.

7. For detailed information on the methods of disabling / deleting cookies, see the “Help” section of your web browser. For example, in Internet Explorer browser cookies can be modified in: Tools -> Internet options -> Privacy; in Mozilla Firefox: Tools -> Options -> Privacy; while in Google Chrome: Settings -> Show advanced settings -> Privacy -> Content settings -> Cookies. Access paths may differ depending on the web browser version used.

8. When using the Online Store, you can select the scope of use of the cookies technology and then grant the relevant consent corresponding to the selected scope. The cookies installed on your device will depend on the scope of cookies you consent to.

9. Cookies are harmless for you and your device. Restriction of use of the cookies may affect certain functionalities available in the Online Store, allow or significantly hinder proper use of the Online Store.

10. As the Controller cooperates with other entities as part of the Online Store, for the purposes of the said cooperation the browser saves also cookies originating from the entities the Controller cooperates with. This allows for collection of, among other things, information on the viewed Products. The cookies sent by those entities aim, in particular, at ensuring proper operation of the Online Store and improvement of effectiveness of presentation of advertisements, corresponding to your online activity. In particular, the Controller uses the services of the following entities who use cookies in the Online Store. Google Analytics (<https://policies.google.com/privacy>), Facebook, Synerise, Hotjar, Thulium, Criteo, Tradedoubler, Google Ads (<https://policies.google.com/privacy>), Circles, WPPL (for detailed information on the processing of your personal data by Wirtualna Polska, see the [privacy policy of Wirtualna Polska](#)), RTB House (<https://www.rtbhouse.com/privacy-center/services-privacy-policy/>).

VIII. FINAL PROVISIONS

1. The Controller reserves the right to change the Policy - this may happen for important reasons, including but not limited to:

a) change of the applicable law, including but not limited to law regarding protection of personal data, telecommunication law, law regarding electronic services and regulating the rights of consumers, affecting the rights and duties of the Controller or user of the Online Store;

b) development of functionalities or electronic services resulting from advancements in Internet technology, including use / implementation of new technological or technical solutions, affecting the scope of the Policy.

2. The Controller will publish information on every change of the Policy in the Online Store. Along with each change, the new version of the Policy will be published with a new date.

3. As links to third-party websites not belonging to the Controller and for which the Controller accepts no liability may be displayed in the Online Store, the Controller encourages you to read the privacy policies published on the third-party websites of other controllers.

4. This Policy version is effective as of 2022.12.01