

Data Processing Agreement

In accordance with the Act No. 122/2013 Coll. on the personal data protection and on amendments to certain laws, as amended (hereinafter referred to as "**Data Protection Act**"), you as the person concerned hereby grant **Hyperia s.r.o.**, Company ID: 47136961, Registered Office: Univerzitná 8498/25, 01008 Žilina, Slovak Republic, registered in the Commercial Register of the District Court of Žilina, Sec. L, insert no. 59029 (hereinafter referred to as the "**Provider**"), consent to processing of your personal data, their inclusion into the database of the provider in accordance with the following conditions.

1. Object of personal data processing

Personal data shall be processed in order to offer and provide goods or services of the provider or of the contracting parties of the provider. The personal data you provide will be further processed for direct marketing purpose via email, phone, text messages or by other electronic means, for advertising and marketing purpose and promotion of goods, services or the brand of the provider or of the contracting parties of the provider. Personal data will be further processed for internal administrative purposes directly related to business activity of the provider to personalize, improve and further develop goods and services of the provider.

2. Scope of personal data processing

Provider, on the basis of your approval, processes all the data that you insert into the form available on the websites of the provider, your IP address and the so-called user-agent data, such as data on the type/version of the web browser and the type/version of the operating system for the purposes stipulated above in the Article 1. Please note that provider need not process all the above mentioned data.

3. The duration of personal data processing

Your personal data shall be processed for the time necessary to serve their purpose or as case may be until the withdrawal of your consent. As our services consist in providing information and services for an indefinite period of time, personal data processing will end upon termination of the provision of the services. If interested in termination of provision of our services, please contact us using the contact info provided below. Personal data processing upon termination of the specified period or in the event of withdrawal of your consent is only possible in the cases stipulated by the legislation.

4. Resources of personal data

Provider collects personal information directly from you as the data subject by completing the form available on the website of the provider. Provider may also collect personal data from the persons involved, to the extent and for purposes allowed by the legislation.

Provider will always consider personal data stated in the electronic form as true and undistorted. In the event of damage or other detriment of third parties, the person inserting the data into the form is always responsible. If possible, update your data via notification sent to the address stated in the Article 13 below.

5. Method of personal data processing

Personal data is processed by the provider or an intermediary or intermediaries with who the provider concluded a data processing contract in accordance with the provision of the Article 8 of Data Protection

Act. List of current intermediaries of your personal data is to be found on the following address:
www.hyperia.sk/l/en/personal-data/intermediaries

All obligations of the provider relating to personal data processing always apply to intermediaries authorized by the provider.

Your personal data is kept in electronic form on the servers of the provider or a third party - server provider.

6. **Disclosure of Personal Data**

Provider may share your personal data with his business partners (hereinafter referred to as "Recipients") whose goods or services you are applying for by means of the form. It is a necessary part of the process in order to provide the services requested. Data may also be transmitted to other recipients stated in the conditions of personal data processing.

Provider declares that your personal data provided under this Agreement shall not be published.

7. **Protection of personal data**

Provider shall ensure protection of your personal data against their damage, destruction, loss, alteration, unauthorized access and disclosure, provision or publishing as well as any other impermissible means of processing. Provider therefore uses electronic means of protection (security software, passwords) as well as physical protection of personal data (alarm, limiting access by unauthorized persons, etc.).

8. **Your rights as the person concerned**

As the person whose data are being processed you are entitled, on the basis of a written application in accordance with the Article 28 of Data Protection Act, to require from the provider:

- a) confirmation whether or not your personal data are being processed;
- b) information, in a generally comprehensible form, on personal data processing in the information system pursuant to the Article 15(1)(a) to (e), second to sixth article of Data Protection Act; when issuing the decision in accordance with the paragraph 5 of the law, the person concerned is entitled to be acquainted with the processing and evaluation procedures;
- c) accurate information, in a generally comprehensible form, about the source the provider obtained your personal data from;
- d) a list of your personal data, in a generally comprehensible form, which are subject to processing;
- e) correction or deletion of incorrect, incomplete or outdated personal data which are subject to processing;
- f) deletion of the personal data whose processing purpose is over; if official documents containing personal data are subject to processing, the client can require their return;
- g) deletion of your personal data that are subject to processing if there has been a breach of law;
- h) to block your personal data on the grounds of withdrawal of your consent prior to the expiry of the period of validity if the provider processes personal data on the basis of your consent.

Your right, under (e) and (f) stated above, may be limited only if such limitation is required by a special law or its application would mean infringement of the protection of the person concerned or infringement of the rights and freedoms of other persons.

As the person concerned, you are also entitled, on the basis of a written application, to object to:

- a) personal data processing considered to be processed for the purposes of direct marketing without your consent and to ask for their deletion;
- b) using your personal data stated in the Article 10(3)(d) of Data Protection Act on direct marketing using postal services; or

- c) providing your personal data stated in the Article 10(3)(d) for the purpose of direct marketing.

As the person concerned, on the basis of a written application or in person, if it allows no delay, you are entitled to object at any time to processing of your personal data in the cases stated in the Article 10(3)(a), (e), (f) or (g) of Data Protection Act by conveying justified reasons or by submitting evidence of unauthorized infringement on your rights and the right of protected interest which are or may be, in the particular case of such personal data processing, damaged. If no legal grounds have been found and your objection proves to be legitimate, the provider is obliged, without further delay, to block personal data in question and expunge it as soon as possible.

As the person concerned, on the basis of a written application or in person, if it allows no delay, you are also entitled to object at any time and to disagree with the decision of the provider which would have legal consequences or a significant impact on you if such decision is issued solely on the basis of automated data processing of your personal data. You are entitled to ask the provider to review of the decisions issued by a method other than automated forms of processing and the provider is obliged to comply with the requirement via an authorised person who will have the decisive role in the review of the decision; provider shall inform the person concerned on the method and the outcome of the review within a period of 30 days from the date of the receipt of the request. This right do not apply only if set by a special act where measures to ensure legitimate interests of the person concerned have been modified or if in pre-contractual relationships or during the existence of contractual relationship the provider issued a decision meeting your request or if the provider, on the basis of the contract, adopted other appropriate measures to ensure your legitimate interests.

Upon suspicion that your personal data is being processed without authorisation, you can file a motion with the Data Protection Office of the Slovak Republic.

If you do not have the legal capacity in its entirety, your legal representative may enforce your rights. If the processed personal data concern a person who is not alive, the rights (s)he would have in accordance with this Act may be enforced by a next of kin.

To enforce your rights as the person concerned, you can contact the provider in accordance with Article 13 below.

9. **Voluntariness**

This consent has been granted to the provider on a voluntary basis and you are entitled to withdraw it at any time in writing, except for the consent to your electronic address processing which you are entitled to withdraw using the following address: ou@hyperia.sk.

Please note that provider is entitled to process the personal data you provide even without your consent if set by a legal regulation. Also note that the refusal of your consent to your personal data processing, in order to provide goods or services of the provider or of the contracting parties of the provider, will result in failure to provide such services and, at the same time, provider will not be able to keep you updated about other services and news.

10. **Consent to sending commercial communication**

In accordance with the Act No. 351/2011 Coll. on electronic communication, as amended, you hereby grant consent to sending commercial communication for the purpose of direct marketing relating to the business activity of the provider, via phone or by using automated calling and communication systems without human intervention, telefax, electronic mail, including the Short Message Service.

The consent may be withdrawn free of charge at any time. If your consent has been withdrawn, provider will not send you any commercial communication.

11. **Consent to "cookie" files storing**

You hereby grant consent to storage or access to information stored on your end device (so-called "Cookies") for the purpose of creating statistical data, analysis of website traffic and personalization of

the services of the provider. Using such settings with your web browser or other computer programs shall be considered as consent to storing.

Cookies is a small text file, saved by a provider in your device, that stores information about your activity. Cookies cannot be used to obtain data from your hard disk drive. If you do not wish to save cookies of the websites of the provider on your computer, it is possible to do so by forbidding it directly in the settings of your web browser.

We would like to inform you that banning cookies may affect the functionality of the websites of the provider and your experience while browsing these sites.

12. **International transfer of personal data**

Slovak Republic, as a member state of the European Union, guarantees free movement of personal data between the Slovak Republic and the Member States of the European Union and of the European Economic Area. For this reason, your personal data could be subject to transfer into the EU countries and the EEC, namely to Spain, the Czech Republic and Great Britain.

Provider shall ensure that contracting parties within the territory of a Member State of the EU have acted in accordance with his instructions and in accordance with the Data Protection Act. Provider also ensures that appropriate measures have been taken to maintain your rights and the interests protected by the law during the transfer of personal data to the provider in another Member State.

13. **Contacts**

To claim your rights under the Article 28 of Data Protection Act (Article 8 above), please use the following address: ou@hyperia.sk