



PRIVACY POLICY

BASIC INFORMATION CONCERNING DATA PROCESSING (FIRST LAYER)

- I have read and accept the Legal Notice and the Privacy Policy.
- I wish to receive electronic commercial communications, even tailored to my interests, regarding the products, services and events offered and/or organised by by Imatra.

Data Controller	<i>Imatra Sports Innovation S.L. (Imatra), domiciled at Paseo de Miramon, 170, Piso 3, Edificio Tandem, 20014, San Sebastián (Gipuzkoa) and with TAX ID nºB01895325</i>
Purposes	<i>Manage our contractual relationship and well as your condition of user, improve our products and services, comply with our legal obligations and marketing purposes.</i>
Legal basis	<i>The execution of our agreement, compliance with the applicable laws and, where appropriate, our legitimate interest and your consent.</i>
Recipients	<i>Third parties legally or contractually obliged to access your data and, if applicable, competent authorities.</i>
Exercise of rights	<i>You can access, rectify or delete your data and exercise other rights as explained in our Privacy Policy¹.</i>
Additional information	<i>You can find further and more detailed information on data protection in our Privacy Policy².</i>

¹ **Note to Imatra:** Please include the relevant hyperlink to the full text of the privacy policy.

² **Note to Imatra:** Please see our comment above.



PRIVACY POLICY (SECOND LAYER)

As a consequence of users navigation through the website www.imatra.app (the "**Website**") and while using our free mobile application Imatra (the "**App**"), Imatra Sports Innovation S.L. ("**Imatra**") collects and processes personal data of each user (the "**User**" or "**Users**").

The processing of your personal data as a user will be governed by this privacy policy (the "**Privacy Policy**") and whatsoever future updates of it. Any User which does not agree with this Privacy Policy should refrain from accessing, filling any forms or using in other way the Website and/or the App, as applicable.

1. Who is the data controller?

1.1. The entity in charge of the collection and the processing of your personal data is Imatra Sports Innovation S.L. ("**Imatra**"), with registered office at Paseo de Miramon170, Piso 3, Edificio Tandem, 20014, San Sebastián (Gipuzkoa), tax identification number B01895325.

Imatra's responsible person in terms of data protection can be contacted at [*].

1.2. Imatra runs a free mobile app that captures your cycling activity and transforms it into a normalized distance, (which is an advanced metric that accounts for the changes of terrain and gives you an estimate of the distance you could have ridden in a perfectly flat course at the same physiological cost), into a virtual currency ("**Imatra Coins**") that the User can later trade in for cycling gear and a number of other offerings. This goods and items could be indeed purchased through Imatra Coins (as well as through any traditional means of payment) in the marketplace(s) provided through our App.

2. Which of my personal data is being processed?³

³ **Note to Imatra:** Please review the different categories of personal data being included and complete this section as applicable.



2.1. Imatra collects different information from Users facilitated directly by them or collected while navigating through the Website and/or interacting with the App. In particular, the following personal data will be processed by Imatra:

- (i) Identification data: Personal data such as name and surname, gender, date of birth, country of residence, user information such as username, unique user ID and password.
- (ii) Contact data, such as email address and postal address.
- (iii) Certain features on User's mobile device connected to the App, if allowed and/or requested by Users, such as contacts, calendar and gallery as well as any other materials the Users willingly submit to us such as articles, images⁴ or feedback.
- (iv) Geolocation data, such as latitude and longitude.
- (v) Navigation information: Imatra collects information by means of cookies and similar technologies, including users' IP address or other navigation data. Further information in this regard can be found at our Cookies Policy⁵.
- (vi) Information on purchases and financial information: Information regarding the goods and services purchased through Imatra's marketplace, as well as financial data used, if applicable, to purchase products in the marketplace (bank account, credit card details).

2.2. Under no circumstance should Users provide special categories of personal data, such as those revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, health and genetic data, sexual orientation, or Users' criminal record. Only if applicable, and with the User's consent, health data voluntarily provided by the user and that could affect the exercise of the sport monitored by Imatra could be processed by the company.

3. For what purposes do we process your data?

⁴ **Note to Imatra:** Please, take into account that if such images display the User personal image, he/she must give his/her personal consent.

⁵ **Note to Imatra:** Please, insert hyperlink to the Cookies Policy.



- 3.1. Imatra processes the User's personal data collected in accordance with this Privacy Policy for providing and personalizing its services as well as for developing and improving the quality of such services, of the App and of the Website.
- 3.2. In particular, Imatra will use the personal data for the following purposes:
 - (i) Manage our relationship with you as an Imatra User. This may include, in particular, the creation and management of user accounts, the development of our contractual relationship, the delivery of the items purchased through Imatra's marketplace,
 - (ii) Being able to respond to the inquiries eventual posed by users and to offer any necessary and requested user support.
 - (iii) Imatra's legitimate interest in improving our products or services, improve the User's experience, request User feedback or duly run and operate de Web and/or the App.
 - (iv) Compliance with the legal obligations to which Imatra is subject.
 - (v) Sending of marketing and promotional communications, including targeted advertising, via e-mail.
 - (vi) Creation of a user profile in order to be able to provide users with useful information and recommendations regarding their sports interests and activities.
- 3.3. The personal data provided by Users to Imatra through the App shall not be used for purposes other than those set out in this Privacy Policy.

4. What is the legal basis of our processing?

- 4.1. The legal basis for the processing of User's personal data as a consequence of the purposes laid down in sections (i) and (ii) above is the execution of the agreement entered into between the User and Imatra. The processing of personal data is necessary in order for Imatra to be able to provide its services to Users.



- 4.2. Regarding purposes related to the improvement of Imatra's products and services, the legal basis of the processing is Imatra's legitimate interest⁶.
- 4.3. With regards to the sending of commercial communications (including targeted advertising), as well as to the creation of a user profile in order to provide users with recommendations and notices that suit them, the legal basis of the processing is the User's consent or specific and active request of the User⁷.
- 4.4. Finally, compliance with the applicable laws to which Imatra is subject (e.g. consumer protection laws, antitrust law, tax laws, etc.) in the context of the provisions of its services is the legal basis that enables the processing activities carried out for such purposes.
- 4.5. Whenever there is a change in the Privacy Policy, Users will be informed of this change through the App or by other electronic means and they will be asked, when legally required, to provide their consent to the modified policy again. Where Users consent is required in accordance with applicable law, Imatra will not be able to provide the services through the App to the Users until they have accepted the new changes in the Privacy Policy.

5. With whom do we share your personal data?

- 5.1. Imatra might disclose your personal data to service providers engaged in the provision of any ancillary services related to the Website and/or the App. These can include providers of services such as data hosting, data analysis, order fulfilment, marketing service providers, information technology and related infrastructure provision, customer service, email delivery, auditing, and other services.

⁶ **Note to Imatra:** Please note that, in the event that these processing activities are indeed carried out, and are carried out under the company's legitimate interest, it would be necessary to perform a legitimate interest assessment, evidencing that the company's legitimate interest prevails over the rights and freedoms of the data subjects.

⁷ **Note to Imatra:** Even though we understand that this will be considered at a later stage, please note that consent obtained for the sending of commercial communications should be renewed in reasonable intervals of time (e.g. 5 years in the case of active users and 2 years for inactive users).



- 5.2. In such cases, Imatra guarantees that such third parties will have limited access to the information of Users to the extent necessary to carry out the tasks entrusted to them, that they will sign a contract with Imatra for the commissioning of processing, and they will be obliged not to disclose the information or use it for purposes other than the provision of the corresponding service. In the event that any of these service providers is located outside the European Economic Area, Imatra undertakes to perform the corresponding international data transfers only in accordance with the safeguards and requirements laid down in the applicable laws.
- 5.3. Imatra may also need to disclose your personal data to the competent authorities, when required by the applicable laws.
- 5.4. Likewise, your personal data might be communicated to other group or affiliated companies, such as NOB 4.0 SRL, a retailer of cycling premium brand that will feed the marketplace with high end products and services, in order for you to be able to access the marketplace offered by the company as well as to receive information that might be of your interest⁸. Please note that you will be also able to purchase any goods and items in the own marketplace managed through NOB 4.0 SRL directly through your Imatra Coins. Finally, and if you consent so, we may communicate your personal data to the different brands with which we collaborate in our marketplace, so that they can offer their own products and services that may be of your interest.

6. For how long will we process your data?

Imatra will keep Users personal data for as long as it is necessary to fulfil the abovementioned purposes. Once the relevant personal data is no longer required for such purposes, or when the User revokes his/her consent or oppose to the processing, Imatra will store the personal data duly blocked, for the time liabilities may arise for Imatra or in compliance with any other legal requirement.

⁸ **Note to Imatra:** Please note that, ideally, it would be necessary to request users consent for the communication of their data for these purposes (e.g. by including a pop-up before users are redirected to NOB 4.0's marketplace). Otherwise, the processing could be based on the companies' legitimate interest, even though this would require a further and deeper assessment.



7. Which security measures do we implement to protect the User's personal data?

- 7.1. Imatra is concerned about the security and protection of Users personal data and works hard to prevent any security breaches that may occur.
- 7.2. In this regard, Imatra has implemented appropriate technical and organisational measures which are necessary to maintain and guarantee confidentiality, integrity and security of personal data, and to prevent these personal data from any loss, misuse, alteration, unauthorized access, taking into account the state of the art and the nature of the personal data to be protected. Likewise, Imatra performs periodic controls over its systems, in order to detect possible vulnerabilities and attacks.
- 7.3. However, Users do acknowledge that technical security on the Internet is not unassailable and there are no guarantees that third parties may access, diffuse, alter or destruct the personal data if a filtration and a fraudulent activity takes place in any of the implemented security measures.

8. How can you exercise your rights?

- 8.1. Users may, in the terms envisaged by the applicable laws, exercise their rights of access to personal data, rectification or deletion, opposition, restriction of the processing, portability, as well as to revoke the consent given by sending a written communication to: [*⁹]. Below please find a more detailed explanation of each of the rights granted by the data protection regulations.
- 8.1.1. Access to data. Users can access their personal data, at any time, and may ask for further information regarding the processing of their personal data.
- 8.1.2. Rectification of data. Users have the right seek for the rectification of those personal data which are inaccurate or incomplete.

⁹ **Note to Imatra:** Please see our comment above regarding the DPO/responsible person email address.



- 8.1.3. Erasure of the personal data, when it is no longer required.
 - 8.1.4. Restriction of data. Users have the right to ask for the restriction of the processing of their personal data when it is legally established.
 - 8.1.5. Opposition to the processing. Users have the right to oppose to the processing of their personal data when it is legally established, under certain circumstances.
 - 8.1.6. Right of portability. Users have the right to receive the personal data concerning them in a structured, commonly used and machine readable format and have the right to transmit those personal data to another controller.
 - 8.1.7. Right to revoke the consent. Users have the right to revoke their consent at anytime. The revocation of this consent will not affect the lawfulness of the previous processing activities based on consent.
- 8.2. If necessary for a clear identification of the User, Imatra may ask the User for a copy of its national identification number, its passport or other equivalent document that contributes to its identification, when it is legally established.
 - 8.3. Users are entitled to submit, at any time, a complaint to the Spanish Data Protection Agency (AEPD) or to the competent supervisory authority in data protection at www.aepd.es.

9. How to contact us

- 9.1. If you have any queries about this Privacy Policy, please do not hesitate to contact us on the following address: [*].

Last updated, April 2023