



Privacy Policy of Gigacloud Sp. z o.o.

TERMS AND ABBREVIATIONS

Personal Data Controller; controller shall mean Gigacloud Sp. z o.o., Hoża 86/210, 00 – 682 Warsaw, KRS: 0000849579, which jointly with others that determines the purposes and means for the processing of personal data and bears the primary responsibility for their processing.

Personal data shall mean any personal information that allows a third party to identify an individual.

Personal data subject means a natural person to whom the personal data relates and who can be or has been identified from the personal data.

Personal data controller; controller shall mean an individual or a legal entity, public authority, agency or other body which, alone or jointly with others that determines the purposes and means for the processing of personal data and bears the primary responsibility for their processing.

Personal data processor; processor shall mean an individual or a legal public authority, agency or other body which processes personal data on behalf of the controller;

Processing of personal data shall mean any activity or a number of activities such as collection, registration, accumulation, storage, adaptation, alteration, updating, use and dissemination (distribution, sale, transfer), depersonalization, or destruction of personal data.

Website shall mean the website operated by the Personal Data Controller at www.gigacloud.eu.

User; Customer shall mean any individual who visits the Website or uses one or more of the services or functionalities described in this Policy.

General Data Protection Regulation; GDPR; Regulation (EU)2016/679 shall mean the EU Regulation on the protection of personal data of all subjects within the European Union and the European Economic Area. It also applies to the export of personal data outside the EU and the EEA.

1. REGULATORY REFERENCES

This Privacy Policy has been developed in accordance with:

- ISO / IEC 27001 Standard Information Security Management System
- ISO / IEC 27701 Standard Privacy Information Management System
- General Data Protection Regulation (GDPR)
- Act on Personal Data Protection dated 10 May 2018

2. PURPOSE AND SCOPE

This Privacy Policy describes our policies and procedures for the collection, use, disclosure and dissemination of your personal information or personal data when using the Company's website. By using the website and filling out the forms on the website, user agrees with all the provisions of this Privacy Policy.

We value the personal information of our customers and partners. Therefore, all collected information, both personal and commercial, shall be used for technical, accounting and other purposes set forth herein, in accordance with the requirements of the binding law. The processing of personal data of customers in the territory of the EU or customers who are EU



citizens shall be regulated by GDPR, as well as national laws, which may impose additional requirements.

This Policy sets out our commitment to the non-disclosure of and privacy practices with respect to the personal data that the User provides when using the website.

If you disagree with the terms of this Policy, please cease using the website.

3. WHEN DO WE COLLECT INFORMATION?

When controlling the methods of personal data collection and determining the purposes of the use thereof, we act as the controller in accordance with the GDPR other applicable European data protection laws.

We process personal data only if one of the following conditions are met, as specified in article 6.1 of GDPR including but not limited to:

- consent to the Personal Data Processing is granted;
- processing is necessary in order to provide our assistance and services;
- Data is processed in accordance with contractual obligations, especially to place the order for our services;
- processing is required by the binding law.

4. PURPOSES OF PERSONAL DATA PROCESSING

We need personal data to:

- check the technical feasibility of providing our services and advising potential customers on this issue;
- make contractual arrangements to provide our services to customers and comply with the requirements of the effective laws to the content of primary business documents;
- ensure that our existing customers can use the loyalty programme;
- process claims and feedback;
- run research and surveys on the preferences of our website users, improve our services, assess the level of satisfaction with these services and adhere to the contractual agreements.

5. WHAT INFORMATION DO WE COLLECT AND PROCESS?

We collect and process the following information:

- information entered by users into the forms on the website to the extent necessary to get consulting services, enter into and execute the service agreement (full name, e-mail, phone number and any other information that is openly requested by the website);
- information that becomes known to us during communication with you by phone (phone calls may be recorded by agreement), e-mail and through any other channels selected by you or our experts for convenient communication;



- information that is automatically collected when you use our website, including cookies and any other technologies used to collect information about actions performed on the website (page views, date and time of visits, type of browser and device, mobile operator's IP address and other information related to the use of the website, unique advertising and content identifiers);

- any other personal information that has been voluntarily provided to us.

We do not collect special (sensitive) categories of personal data, and should such data be disclosed, their use should be minimal and only voluntary.

6. HOW DO WE USE THE INFORMATION OBTAINED?

We use the information obtained as follows:

- verifying the technical feasibility of our services;
- consulting on our services;
- providing our services, making proper contractual and accounting arrangements in accordance with the requirements of applicable laws;
- processing claims and feedback;
- displaying relevant advertising and information content developed based on user experience;
- sending offers, news and information about new services (you can unsubscribe at any time by clicking "unsubscribe", which is available in each e-mail);
- contacting you to advise and provide services on technical and commercial matters relating to the services;
- analysing and assessing the use of the website to improve the user experience;
- storing individual user settings on the website;
- fulfilling legal obligations as part of business operations and business management. In case of contacting the Personal Data Controller by telephone, on matters not related to the concluded contract or the services provided, the Personal Data Controller may require the provision of Personal Data only if it is necessary to handle the matter to which the contact relates. The legal basis in such a case is the legitimate interest of the Personal Data Controller (Article 6(1)(f) GDPR), consisting of the necessity to resolve the reported matter related to the Personal Data Controller's business activity.

7. TRANSFER OF PERSONAL DATA TO THIRD PARTIES

We may transfer your personal data to third parties in cases where this is allowed by the provisions of law.

That however, does not deal with cases when the user voluntarily enters other websites links on our website. The Company does not guarantee that such other sites function in accordance with the provisions of binding law and will not be held liable for sharing of the personal data by the user on such other sites.

If personal information is already publicly available, we cannot ensure its privacy.



Your data may be transferred to entities that process personal data on behalf of the Controller, among others to IT service providers, marketing agencies, etc. - whereby such entities process data on the basis of a contract with the Controller and only in accordance with our instructions. In such cases, we require third parties to maintain the confidentiality and security of the information and verify that they provide adequate measures to protect your personal data.

Your data may also be made available to entities entitled to obtain it under applicable law, e.g. law enforcement agencies. To the extent permitted by applicable law, we may also share your data with debt collection and debt trading institutions.

On the basis of your voluntary consent, your personal data is processed (and in some cases based on the controller's legitimate interest) by our trusted partners, your personal data stored in cookies on your device and its cache (including data provided in your browsing history and data collected during your activity on services) and location data generated by your device - for marketing purposes (including automated analysis of your activity on websites and in applications to determine your potential interests for the purpose of tailoring advertising) including the placing of internet tags (cookies, etc.) on your device and the reading of your device's web page. The above data may be shared with our trusted partners.

8. Rights in relation to the processing of personal data

The Data Subjects have the following rights:

- the right to be informed about the processing of personal data - on this basis, the Controller shall provide the individual making the request with information about the processing of data, including, in particular, the purposes and legal grounds for the processing, the scope of the data held, the entities to which the data are disclosed and the planned date of erasure;
- the right to obtain a copy of the data - on this basis the Administrator provides a copy of the processed data concerning the individual making the request;
- right to rectification - the Administrator is obliged to rectify any inconsistencies or errors in the processed Personal Data and to complete them if they are incomplete;
- right to erasure - on this basis, it is possible to request the erasure of Data, the processing of which is no longer necessary for the fulfilment of any of the purposes for which they were collected;
- the right to restrict processing - if such a request is made, the Controller shall cease performing operations on the Personal Data with the exception of operations to which the Data Subject has given his/her consent and their storage, in accordance with the retention rules adopted or until the reasons for restricting the processing cease to exist (e.g. a decision is issued by a supervisory authority authorising further processing);
- the right to data portability - on this basis - to the extent that the data are processed by automated means in connection with the concluded contract or consent, the Administrator shall issue the data provided by the data subject in a computer-readable format. It is also possible to request that the data be sent to another entity, provided, however, that the technical capacity to do so exists both on the part of the Administrator and the designated entity;
- right to object to the processing for marketing purposes, the Data Subject may at any time object to the processing of Personal Data for marketing purposes, without having to justify such objection;
- right to object to other purposes of processing, the Data Subject may object at any time, on grounds relating to his or her particular situation, to the processing of Personal Data that is carried out on the basis of a legitimate interest of the Controller (e.g. for analytical or



statistical purposes or for reasons relating to the protection of property); the objection in this respect shall contain a justification;

- right to withdraw consent - if the data are processed on the basis of the consent given, the Data Subject shall have the right to withdraw it at any time, which, however, shall not affect the lawfulness of the processing carried out before the withdrawal of the consent;
- right to lodge a complaint - in the event that the processing of Personal Data is considered to be in breach of the provisions of the RODO or other provisions relating to the protection of Personal Data, the Data Subject may lodge a complaint with the supervisory authority for the processing of Personal Data, which has jurisdiction over the Data Subject's habitual residence, place of work or place where the alleged breach has been committed. In Poland, the supervisory authority is the President of the Office for Personal Data Protection.

9. WHERE ARE PERSONAL DATA STORED?

Personal data are stored on the servers of GIGACLOUD LLC located in data processing centres (DPCs), operating in Ukraine and Poland at the following addresses:

- 37B Vasylykivska Str., 03022, Kyiv
- 21-A Kurenivska Str., 02000, Kyiv
- Poland, 00-682, Warszawa, ul. Hoża 86/210.

The level of protection of Personal Data outside the European Economic Area ("EEA") differs from that provided by European law. For this reason, the Personal Data Controller transfers Personal Data outside the EEA only when necessary and with an adequate level of protection, primarily by:

- cooperating with processors of Personal Data in countries for which a relevant decision of the European Commission has been issued as to whether an adequate level of protection of Personal Data is ensured;
- applying the standard contractual clauses issued by the European Commission;
- application of binding corporate rules approved by the competent supervisory authority;
- in the case of transfers to the USA, cooperation with entities participating in the Privacy Shield programme approved by a decision of the European Commission.

We hereby inform you that as the Personal Data Controller we transfer Personal Data outside the EEA at the stage of collection. Accordingly, we assure you that such a transfer is carried out with full conformity of the binding laws and with highest diligent care.

10. HOW LONG ARE PERSONAL DATA STORED?

The period of data processing by the Controller depends on the type of service provided and the purpose of the processing. The period of data processing may also result from the regulations when they provide the basis for processing. If the data are processed on the basis of the legitimate interest of the Controller (e.g. for security reasons), the data shall be processed for the period of time enabling the fulfilment of this interest or until an effective objection to the processing is raised. Where processing is based on consent, data are processed until the consent is withdrawn. When the basis for processing is the necessity for the conclusion and performance of a contract, the data are processed until the contract is terminated.

The processing period may be extended if the processing is necessary for the establishment or assertion of claims or the defence against claims, and thereafter only if and to the extent required



by law. After the expiry of the processing period, the data shall be irreversibly deleted or anonymised.

11. USE OF COOKIES

Cookies are small text files that websites store on computers or mobile devices when users start using them.

They allow the website to remember the operations and actions performed by the user of the website for a while.

Our cookies do not identify individual users or collect personal data but only identify a computer or a mobile device. Cookies and other tracking technologies enabled on our website and applications can be used in various ways, e.g. to operate the website, analyse traffic or for advertising purposes.

We use cookies and other tracking technologies, in particular, to improve the quality and efficiency of our services. You can disable cookies and other tracking technologies in your Internet browser settings. If the user of our website does not wish to use cookies, the user should block the website from storing cookies.

Otherwise, the user shall be considered to have agreed to the use of existing cookies on the website.

12. PROTECTION OF PERSONAL DATA

The Personal Data Controller shall:

- use the information obtained solely for the purpose set forth in this Policy;
- ensure the information is kept confidential, refrain from disclosing, selling, sharing, publishing the obtained personal data of the User or otherwise making it public without the User's prior written consent, except as set forth herein;
- take precautions to protect the privacy of the User's personal data in accordance with the procedure commonly used to protect this type of information in the ordinary course of business. The Personal Data Controller shall take all necessary steps to ensure that its subcontractors and other cooperating entities guarantee the application of appropriate security measures whenever they process Personal Data on behalf of the Personal Data Controller.

If you believe that the Company has violated your rights through the processing of your personal data, you can send us your claims or feedback by e-mail at privacy@gigacloud.eu or by post at: [Gigacloud Sp. z o.o., Hoża 86/210, 00 – 682 Warszawa.](#)

If the Personal Data Controller is unable to identify the individual on the basis of the request made, the Personal Data Controller will request additional information from the applicant. It is not mandatory to provide such data, but failure to do so will result in the request being refused.

The request may be made in person or through a proxy (e.g. a family member). For the sake of data security, the Personal Data Controller encourages the use of a power of attorney in a form certified as true to the original by a notary public or an authorised legal counsel or attorney, which will significantly speed up the verification of the authenticity of the request.

The request should be answered within one month of its receipt. If it is necessary to extend this deadline, the Personal Data Controller shall inform the applicant of the reasons for this action.



Where a request has been addressed to the Personal Data Controller electronically, a response shall be provided in the same form, unless the requester has requested a response in another form. In other cases, the response shall be given in writing. Where the timing of the request makes it impossible to respond in writing and the extent of the applicant's data processed by the Personal Data Controller allows contact to be made electronically, a response shall be provided electronically.

13. CHANGES TO THE PRIVACY POLICY

The Policy shall be kept under review and updated as necessary.

The current version of the Policy was adopted on 20th August 2023.