

## **PRIVACY POLICY OF APPLI.DOG GMBH**

### **1 RESPONSIBLE PARTY AND SCOPE OF APPLICATION**

- 1.1 Within the scope of the application software for mobile devices operated by appli.dog GmbH, FN 562144 h, Boschstraße 49/3, 1190 Vienna (the "appli.dog") as well as the web application at [www.appli.dog](http://www.appli.dog) (the "App"), appli. dog GmbH (hereinafter "we", "us" or "our") processes personal data of you (hereinafter also "you", "your" or "your") as the data controller within the meaning of Art 4 Z 7 of the EU General Data Protection Regulation 2016/679 (hereinafter: "DSGVO").

Data protection controller:

appli.dog GmbH  
FN 562144 h  
Boschstraße 49/3, 1190 Vienna  
[datenschutz@appli.dog](mailto:datenschutz@appli.dog)  
[www.appli.dog](http://www.appli.dog)

- 1.2 Data protection and data security are very important to us. We would therefore like to inform you at this point which of your personal data we collect from you and for what purposes it is used. This data protection declaration applies to all processing of personal data carried out by us, both in the context of the provision of our services and in particular on our website, in mobile applications and within external online presences, such as our social media profiles. As changes in the law or changes to our internal company processes may make it necessary to adapt this data protection declaration, we ask you to read through this data protection declaration regularly. The data protection declaration can be accessed, saved and printed out at any time at [data protection declaration www.appli.dog](http://www.appli.dog). We process your personal data in accordance with the applicable data protection laws.

### **2 WHAT IS PERSONAL DATA?**

- 2.1 Personal data is any information relating to an identified or identifiable natural person. This includes, for example, information such as name, age, address, e-mail address or IP address. Information for which we cannot (or can only with a disproportionate effort) establish a reference to your person, e.g. by anonymising the information, is not personal data. The processing of personal data (for example, the collection, retrieval, use, storage or transmission) always requires a legal basis or your consent.

### **3 SCOPE AND PURPOSE OF DATA PROCESSING**

- 3.1 As a matter of principle, we collect and use personal data from you only to the extent that this is necessary to provide a functioning website and our content and services or information. We process personal data from you that falls under the following categories of data:
- 3.2 Identifiers and contact information. This may include name, company, username, password, job titles, email address, business or other addresses of the customer, telephone number, electronic signature.
- 3.3 Commercial information. This is billing and payment information (e.g. bank details, credit card details or information from other payment service providers such as Paypal).
- 3.4 VAT number.
- 3.5 Customer service enquiries. This includes information voluntarily submitted as part of service enquiries.
- 3.6 Applicant data (e.g. personal details, contact addresses, the documents belonging to the application and the information contained therein, such as cover letter, curriculum vitae, references, certificates and other information relating to a specific position or voluntarily provided by applicants on their person or qualifications).
- 3.7 Image and/or video recordings.
- 3.8 Sound recordings.
- 3.9 Contract data (e.g. subject matter of the contract, term, customer category).
- 3.10 Device information, usage information and transaction data. This may include personal data about how you use our services and what devices (e.g. computers, mobile phones, tablets) you use to access our services. This includes, but is not limited to:
- o IP address;
  - o precise geolocation information that you provide access to our applications (typically via your mobile device);

- o unique device identifiers and device attributes, such as operating system and browser type;

- o Usage data, such as: Web log data, referring and exit pages and URLs, platform type, number of clicks, domain names, landing pages, pages and content viewed and the order of those pages, time spent on specific pages, date(s) and time(s) you used our Services, frequency of your use of our Services, error logs and other related information;

3.11 Generally, we may not be able to fully perform our contractual obligations or enter into a contract with you at all if the data is not provided or not provided in full.

#### **4 USE OF DATA**

4.1 We process your data for the following purposes and on the basis of the legal grounds set out below:

4.1.1 Contract performance

We process your data for the purpose of fulfilling the contract - i.e. for the provision of our contractually agreed services. This processing is carried out on the legal basis of Art 6 (1) (b) DSGVO (contract performance).

4.2 Fulfilment of legal obligations

Furthermore, we process personal data in order to fulfil our legal obligations (e.g. retention periods of the Federal Tax Code). This processing is carried out on the legal basis of Art 6 para 1 lit c DSGVO.

4.3 Management

In addition, we process your data in the context of our administration and management (e.g. bookkeeping, file management, customer database). These processing operations are carried out on the basis of our legitimate interest in proper and efficient management and in the administration and optimisation of the selection of our contractual partners and thus on the legal basis of Art 6 para 1 lit f DSGVO.

4.4 Customer care and own advertising purposes

Furthermore, the processing of personal data is necessary for customer care, in particular in the context of customer service enquiries, as well as for advertising purposes. This includes, among other things, the sending of offers and newsletters in paper and electronic form, subject to your prior consent in accordance with Art 6 (1) lit a DSGVO.

#### 4.5 Provision and use of the website

When you access and use our website, we collect the personal data that your browser automatically transmits to our server. This information is temporarily stored in a so-called log file. The purpose is to ensure a smooth connection setup of the website and a safe and comfortable use of our website. Art. 6 para. 1 lit. f DSGVO serves as the legal basis for the data processing. The processing of the aforementioned data is necessary for the provision of our website and to enable secure and convenient use and thus serves to protect a legitimate interest of our company. In addition, there are no higher-ranking interests of the website user, so that the interest of the website operator prevails.

### **5 TRANSFER OF DATA TO THIRD PARTIES**

5.1 We will only disclose your personal data to third parties if:

(a) you have given your express consent to this in accordance with Art. 6 (1) p. 1 lit. a DSGVO,

b) this is legally permissible and necessary for the fulfilment of a contractual relationship with you in accordance with Art. 6 Para. 1 Sentence 1 lit. b DSGVO,

c) if there is a legal obligation for the disclosure in accordance with Art. 6 Para. 1 Sentence 1 lit. c DSGVO,

d) the disclosure is necessary in accordance with Art. 6 para. 1 sentence 1 lit. f DSGVO for the protection of legitimate business interests and for the assertion, exercise or defence of legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data.

5.2 In order to fulfil the contract, it may be necessary to pass on your data to the following recipients:

a) Google Analytics,

- b) Mailchimp,
- c) LEAN-FORGE GmbH.
- d) Public or government authorities

We may share your personal data to comply with our legal obligations, regulations or contracts, or to respond to a court order or regulatory or legal process, such as an injunction, regulatory review or search warrant, if we are required to do so by law. We may also disclose your information if an individual's physical integrity is threatened, if there have been violations of appli.dog's policies or other agreements, or to protect the rights of third parties, including our employees, users or the public.

## **6 SERVICE PROVIDERS**

- 6.1 We share your personal data with service providers we use to support our services. We have contracts with the service providers that govern the protection and proper use of your personal data. Your data will only be forwarded on the basis of the GDPR, in particular to fulfil your order or on the basis of your prior consent. It is possible that some of the above-mentioned recipients of your personal data are located outside your country of residence or domicile or that these recipients process your personal data there.

## **7 TRACKING AND ANALYSIS TOOLS**

- 7.1 We use tracking and analysis tools to ensure the ongoing optimisation and needs-based design of our website. With the help of tracking measures, it is also possible for us to statistically record the use of our website by visitors and to further develop our online offer for you with the help of the knowledge gained. Based on these interests, the use of the tracking and analysis tools described below is justified in accordance with Art. 6 (1) sentence 1 lit. f DSGVO. If you have given us your consent to the use of cookies on the basis of a notice we have issued on the website ("cookie banner"), the lawfulness of the use is additionally based on Art. 6 para. 1 sentence 1 lit. a DSGVO. The following description of the tracking and analysis tools also shows the respective processing purposes and the data processed.

### **7.1.1 Google Analytics**

- a) Google Analytics, a web analytics service provided by Google Ireland Limited, Google Building Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland ("Google"), is used on our website. Google Analytics uses "cookies", which are

text files placed on your computer, to help the website analyse how users use the site.

- b) The information generated by these cookies, for example about the time, place and frequency of your use of this website, is generally transmitted to a Google server in the USA and stored there. When using Google Analytics, it cannot be ruled out that the cookies set by Google Analytics may also collect other personal data in addition to the IP address. Please note that Google may transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf.
- c) Google will use the information generated by cookies on behalf of the operator of this website for the purpose of evaluating your use of the website, compiling reports on website activity and providing other services relating to website activity and internet usage to the website operator. According to Google, the IP address transmitted by your browser as part of Google Analytics will not be merged with other Google data.
- d) You can generally prevent cookies from being stored by setting your browser software accordingly. However, we would like to point out that in this case you may not be able to use all the functions of this website to their full extent.
- e) It is not excluded that the cookies set by Google Analytics may collect further personal data in addition to the IP address. To prevent information about your use of the website from being collected by Google Analytics and transmitted to Google Analytics, you can download and install a plugin for your browser at the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.
- f) This plugin prevents information about your visit to the website from being transmitted to Google Analytics. Any other analysis is not prevented by this plugin.
- g) We point out that you cannot use the browser plugin described above when visiting our website via the browser of a mobile end device (smartphone or tablet). When using a mobile device, you can prevent the collection of your usage data by Google Analytics by clicking on the following link: [<ahref="javascript:gaOptout\(\)">Disable Google Analytics</a>](javascript:gaOptout()).
- h) By clicking on this link, a so-called opt-out cookie will be placed in your browser. This prevents information about your visit to the website from being transmitted to Google Analytics. Please note that the opt-out cookie is only valid for this browser and only for this domain. If you delete the cookies in this browser, the opt-out cookie will also be deleted. To continue

to prevent collection by Google Analytics, you must click the link again. The use of the opt-out cookie is also possible as an alternative to the above plugin when using the browser on your computer. Data security Your personal data is protected by appropriate organisational and technical precautions. These precautions relate in particular to protection against unauthorised, unlawful or even accidental access, processing, loss, use and manipulation.

- 7.2 Notwithstanding efforts to maintain a reasonably high standard of due diligence at all times, it cannot be ruled out that information which you disclose to us, e.g. via the Internet, may be viewed and used by other persons.
- 7.3 Please note that we therefore accept no liability for the disclosure of information due to errors in data transmission not caused by us and/or unauthorised access by third parties (e.g. hack attack on e-mail account or telephone). It is your responsibility as a user to protect the data you provide against misuse by encrypting it or in any other way.
- 7.4 We will endeavour to ensure that data breaches are identified at an early stage and, where appropriate, will be reported to you or the relevant supervisory authority without delay, including the relevant categories of data involved.

## 8 RETENTION OF DATA

- 8.1 We will not retain data for longer than is necessary to fulfil our contractual or legal obligations and to defend against any liability claims. In addition, we are subject to a variety of storage obligations according to which data must also be stored beyond the end of the contractual relationship, for example due to storage periods under tax law in accordance with the BAO.
- 8.2 We determine the appropriate retention period for personal data based on the amount, nature and sensitivity of the personal data processed, the potential risk of harm from unauthorised use or disclosure of the personal data, whether we can achieve the purposes of the processing by other means, and based on applicable legal requirements (such as applicable limitation periods).
- 8.3 In cases where there are technical limitations that prevent erasure or anonymisation, we will protect your personal data and restrict the active use of that data.
- 8.4 After expiry of the applicable storage periods, your personal data will be deleted.

## **9 COOKIES, SERVER LOG FILES**

- 9.1 Our website uses "cookies" to make our service more user-friendly, effective and secure.
- 9.2 A "cookie" is a small text file that we transfer to the browser's cookie file on your computer's hard drive via our web server. This enables our website to recognise you as a user when a connection is established between our web server and your browser. Cookies help us to determine the frequency of use and the number of users of our web pages. The content of the cookies we use is limited to an identification number that no longer allows any personal reference to the user. The main purpose of a cookie is to recognise visitors to the website.
- 9.3 Two types of cookies are used on this website:
- a) Session cookies: these are temporary cookies that remain in the cookie file of your browser until you leave our website and are automatically deleted at the end of your visit.
  - b) Permanent cookies: For a better user experience, cookies remain stored on your terminal device and allow us to recognise your browser on your next visit.
- 9.4 You can set your browser so that you are informed about the setting of cookies and only allow cookies in individual cases, exclude the acceptance of cookies for certain cases or in general and activate the automatic deletion of cookies when closing the browser. In addition, when you visit our website, you can use the cookie pop-up to select whether and which categories of cookies you wish to accept. If cookies are deactivated, the functionality of the website may be limited.
- 9.5 In order to optimise our website in terms of system performance, user-friendliness and the provision of useful information about our services, the website provider automatically collects and stores information in so-called server log files, which your browser automatically transmits to us. This includes your internet protocol address (IP address), browser and language setting, operating system, referrer URL, your internet service provider and date/time. We do not combine this data with personal data sources.
- 9.6 We reserve the right to check this data retrospectively if we become aware of specific indications of unlawful use.

## **10 INFORMATION AND DELETION**



10.1 The GDPR grants you certain rights as a data subject, to which we hereby draw your attention. These rights complement each other, so that you can, for example, only request either the correction or completion of your data or its deletion.

#### 10.2 Withdrawal of consent

If we process your personal data on the basis of your consent, you are entitled to revoke your consent at any time in accordance with Art 7 (3) DSGVO. However, this does not affect the lawfulness of the processing carried out up to the time of the revocation.

#### 10.3 Right to information

Pursuant to Art 15 DSGVO, you may request information on the origin, categories, storage period, recipients, the purpose of the data we process about you and the nature of its processing.

#### 10.4 Right to rectification and deletion

If we process data relating to you that is incorrect or incomplete, you may request that it be corrected or completed in accordance with Articles 16 and 17 of the GDPR. You may also request the deletion of unlawfully processed data.

#### 10.5 Right to restriction of processing

If it is unclear whether the data processed about you are incorrect or incomplete or are being processed unlawfully, you may, in accordance with Art. 18 of the GDPR, request the restriction of the processing of your data until this question has been finally clarified.

#### 10.6 Right of objection

Even if the data relating to you is correct and complete and is processed by us lawfully, you may object to the processing of this data in accordance with Art 21 DSGVO. However, this only applies in special situations that you have to justify.

#### 10.7 Right to data portability

Pursuant to Art 20 DSGVO, you may receive the personal data we have processed about you ourselves in a machine-readable format determined by us or instruct us to transfer this data directly to a third party of your choice, provided that this

recipient enables us to do so from a technical point of view and that the transfer of the data is not prevented by unjustifiable expense or by legal or other obligations of secrecy or confidentiality considerations on our part or on the part of third parties.

#### 10.8 Right of complaint

Furthermore, pursuant to Art 77 DSGVO, you are entitled to lodge a complaint with the data protection authority if you are of the opinion that the processing of personal data concerning you violates the DSGVO.

The contact details of the data protection authority responsible for us are:

Austrian Data Protection Authority  
Barichgasse 40-42  
1030 Vienna  
Telephone: +43 1 52 152-0  
E-mail: dsb@dsb.gv.at

## **11 CHANGES TO THE PRIVACY POLICY**

11.1 We may change this Privacy Policy to reflect changes in legislation, our practices, the technologies we use and other factors. Our use of the personal information we collect is subject to the privacy policy in effect at the time we use that personal information. Depending on the nature of the change, we may notify you of the change by posting it on this page.

## **12 CONTACT DETAILS OF THE CONTROLLER**

12.1 We can be contacted at the contact details below for your queries or withdrawal:

appli.dog GmbH  
FN 562144 h  
Boschstraße 49/3, 1190 Vienna  
datenschutz@appli.dog

Status: [07 November 2022]