

PRIVACY AND COOKIES POLICY

bnxt.network

The Privacy Policy determines terms and conditions of the processing of Users' personal data and also constitutes an attachment to the BE NEXT Terms and Conditions, as being the Terms and Conditions for the provision of electronic services of the BE NEXT Platform. All terms included herein shall be interpreted in accordance with the Terms and Conditions unless their different meaning has been clearly indicated herein.

The Privacy Policy is pursuant to European Parliament and Council regulation (EU) 2016/679 of April 27, 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 - referred to hereinafter as the GDPR), and the Act on Personal Data Protection of May 10, 2018, the Act on the Provision of Digital Services of July 18, 2002.

• GENERAL PROVISIONS

The Controller of personal data collected via www.bnxt.network Platform is: BE NEXT Sp. z o. o., KRS (Registration No.): 0001029812 REGON: 525114450, NIP (TAX No.): 8982292125, share capital: 50.000,00 PLN (fully paid) with its registered office at ul. Dmowskiego 3/9, 50-203 Wrocław. All statements should be addressed exclusively to this entity.

Contact with the Controller is possible via e-mail: join@bnxt.network

Definitions:

Cookies - refer to digital data, in particular a small text file, saved and stored on devices, using which the User visits pages of the Website

Personal data - information about an identified or possible to identify natural person. An identifiable natural person is a person who can be directly or indirectly identified, in particular on the basis of an identifier such as name and surname, identification number, location data, internet identifier or one or more specific factors determining the physical, physiological, genetic, mental, economic, cultural or social identity of a natural person;

User - refers to an entity who is a recipient of the services via electronic means, pursuant to provisions of law or who may conclude an Agreement on Providing Digital Services or Distant Sales Agreement;

Profiling - means any form of automated processing of personal data, which consists in the use of personal data to evaluate certain personal factors of a natural person, in particular to analyze or forecast aspects related to the effects of a natural person's work, economic situation, health, personal preferences, interests, reliability, behavior, location or movement;

Processing - means an operation or a set of operations performed on personal data or sets of personal data in an automated or non-automated manner, such as collecting, recording, organizing, arranging, storing, adapting or modifying, downloading, viewing, using, disclosing by sending, distributing or other type of sharing, matching or combining, limiting, deleting or destroying;

Website / Platform - it refers to the website operated by the Service Provider at www.bnxt.network via which it is possible to use the Services;

Terms and Conditions - a document shared via the Website, specifying the terms and conditions of using the Website as well as the terms and conditions of using the Newsletter;

Suppliers - external entities that provide or may deliver content available on the Website, including a payment provider

• LEGAL BASIS AND PURPOSES OF THE PROCESSING OF YOUR DATA

Personal data collected by the Controller are processed pursuant to European Parliament and Council regulations (EU) 2016/679 dated 27th 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

(hereinafter referred to as "the GDPR"), the Act on Personal Data Protection of May 10, 2018 (Dz. U. [Journal of Laws of the Republic of Poland] 2019, item 1781) and the Act on the Provision of Digital Services of July 18, 2002 (Dz. U. 2020 item 344).

The Controller processes personal data, which have been provided or shared by the User in connection with using the Service to:

conclude and perform the Agreement on Providing Digital Services and ensure the functionality of the Website (data range: name, surname, company, tax identification number (NIP), address in the form of a street and building number, postal code, city and country, IP address, e-mail address, phone and other necessary data about the Device used by the User - pursuant to Art. 6 (1)(b) of the the GDPR, i.e. due to the fact that processing is necessary for the performance of an Agreement to which the data regard a party of the Agreement.

to inform Users about issues related to the functioning of the Website (data scope: e-mail address, telephone number, data of the Device used by the User) - pursuant to Art. 6 (1)(b) and (f) the GDPR, i.e. due to the fact that processing is necessary for the performance of the Agreement to which the data subject is a party, as well as to fulfil purposes of legitimate interests pursued by the Controller or by a third party,

to redress and to protect rights (data: as in (1) and all data received from the User necessary to prove the claim or protect the rights) - pursuant to Art. 6 (1)(f) of the GDPR, i.e. on the basis of circumstances that processing is necessary for the legally justified business operated by the Controller or a third party,

fulfilling legal liability of the Controller in connection with operating a company (data: all data provided by the User) - pursuant to art. 6 (1)(c) of the GDPR, i.e. on the basis of circumstances that processing is necessary for fulfilling legal liability of the Controller,

market and promote own activities (data: all data provided by the User) - pursuant to Art. 6 (1)(f) of the GDPR,

market and promote pursuant to a separately given consent (Art. 6 (1)(a) of the GDPR),

send commercial information electronically pursuant to Art. 10 (2) of the Act on Providing Services by Electronic Means of July 18, 2002 (Dz. U. of 2017, item 1219 as amended) including notifications sending (data: as in (2) and all data received from the User) – pursuant to a separately given consent (Art. 6 (2)(a) of the GDPR), Personal data collected by the Administrator shall be processed in accordance with the provisions of 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 (hereinafter "GDPR"), the Act of 10 May 2018 on the protection of personal data (Journal of Laws of 2019, item 1781) and the Act of 18 July 2002 on the provision of electronic services (Journal of Laws of 2020, item 344).

• **DATA COLLECTED BY THE SERVICE ADMINISTRATOR**

The Website's Controller collects or may collect the following personal data via the Website or a direct contact with the User:

identification data (name, surname, company, NIP, address),

contact data (e-mail address, phone number),

data on the device used by the User (IP address, device type, device brand, device model, device name, device language, device location and its configuration),

data on the User's use of VPN software or a Device with a modified operating system;

other data voluntarily provided by the User during contact with the Controller, including data about the Device, correspondence data and other data not mentioned above.

Surfing the Website does not require providing any personal data, other than provided automatically on the connection parameters.

As a part of the registration to the Platform, the Controller of the Website collects the following personal data:

Name and surname;

E-mail address;

phone number;

other necessary data about the Device used by the User.

As a part of payments made with regard to the use of the Services provided via the Website, and in particular with regard to the purchase of a Digital Product by the User, the Controller uses the Payment

Provider who processes the data necessary to perform the transaction in accordance with its own privacy policy.

- **PROFILING OF COLLECTED DATA**

- The Controller reserves that he and the Providers may use profiling to process personal data, in particular for the purposes of direct marketing of own products and services.

- **DURATION OF PROCESSING OF PERSONAL DATA**

Personal data shall be processed in the period of time:

necessary to execute the agreement on service provision by electronic means, specified in the Terms and Conditions, concluded via the Website, and also after its execution because of a possibility of exercising parties' rights under the agreement, and also regarding a possible recovery - until the end of the limitation period;

until the consent has been revoked or an objection to processing of personal data has been filed - in cases of processing of personal data of the User on the basis of separate consent;

The Controller stores personal data of the Users also if it is necessary to fulfil legal duties, settle disputes, enforce payments of the User, maintain safety, prevent fraud and misuse.

- **USER RIGHTS**

The Controller ensures the User to exercise their rights specified in (2) below. To exercise rights it is necessary to send an appropriate demand (appropriate request) to the e-mail address: join@bnxt.network

The User has the right to:

access the content of the data - pursuant to Art. 15 of the GDPR,

correct/update the data - pursuant to Art. 16 of the GDPR,

remove the data - pursuant to Art. 17 of the GDPR,

limit data processing - pursuant to Art. 18 of the GDPR,

transfer the data - pursuant to Art. 20 of the GDPR,

file an objection to data processing - pursuant to Art. 21 of the GDPR,

revoke the consent at any time, whereas revoking the consent does not affect the consent on the right to process data, which has been provided on the basis of the consent before its revoking - pursuant to Art. 7(3) of the GDPR ,

make a complaint to the supervisory body, i.e. to the Inspector General for the Protection of Personal Data - pursuant to Art. 77 of the GDPR.

The Controller review filed demands without undue delay, however, not longer than in a month from the receiving date. If, because of the complexity of the demand or number of demands - the Controller may not be able to review the demands of the User in a given period of time, the Controller shall inform the User about extending the period and indicate a new date, but not more than 2 months.

The Controller informs about corrections, or removals of the personal data, or processing limitations which are done in accordance with User's demands every entity with whom the personal data has been shared, unless it is impossible or requires disproportionate effort.

- **NECESSITY OF DATA PROVISION**

Providing personal data via the Website is voluntary, but necessary if the User registers or uses the Services specified on the Website, as part of the conclusion of the Sales Agreement or the Agreement on Providing Digital Content. .

If the provision of personal data takes place in order to conclude a contract with the Controller, it is a condition for its conclusion. Providing personal data in this situation is voluntary, however, failure to provide this data shall result in the inability to conclude a contract with the Controller.

- **DATA SHARING**

In order to execute the agreement, the Controller may provide the data collected from Users to entities including: employees, associates, entities providing legal services and IT services, and Providers. In addition, the Controller provides the collected personal data to the entity with whom it has concluded an agreement on entrusting the processing of personal data.

In such cases the transferred data are limited to only necessary ones. Moreover, the User's personal data may be transferred to appropriate authorities on the basis of the applicable law, with limitations appropriate to the situation.

The personal data processed by the Controller shall not be shared in a form that would allow any User identification, unless the User has given a consent to a particular data sharing.

- **TECHNICAL MEASURES**

1. The Controller makes every effort to secure Users' data and protect them against the actions of third parties and data security surveillance is performed by the Controller throughout the whole period of accessing the data so as to ensure protection against unauthorized access, damage, distortion, destruction or loss of the data.
2. The Controller applies the necessary protection for servers, connections and the Website. However, the actions taken by the Controller may turn out to be insufficient if the Users do not follow the security rules.

- **TRANSFERRING PERSONAL DATA OUTSIDE THE EUROPEAN ECONOMIC AREA**

The User's personal data are not shared with the countries outside EEA. The Controller uses servers to store data which are located in the EEA countries.

The Controller reserves that the Providers may process and transfer personal data outside the European Economic Area.

- **ENTITIES PROCESSING THE DATA ON BEHALF OF THE CONTROLLER**

- Users' personal data may be entrusted for processing on behalf of the Controller to portals that support the Controller's marketing campaign. Each processing entity is obliged to care for the security of processing and to comply with the rules for the processing of your personal data to an extent identical to the Controller.

- **COOKIES**

The Controller uses cookies and similar technologies to operate the Website for general traffic analysis, marketing analysis and for direct marketing purposes.

When using the Website, small files are saved on the User's device, in particular text files, which are used to remember the User's decisions, maintain the User's session, remember the entered data, collect information about the User's device and the visit to ensure security, as well as analyze visits and content adjustments.

Cookies do not contain data identifying the User, which means that on their basis it is not possible to determine User's identity. The files used by the Website are in no way harmful to the User or the device and do not interfere with its software or settings. The cookie system does not interfere with the operation of the User's computer and may be turned off.

The User may set the browser to block certain types of cookies and other technologies by specifying the permitted scope of information collection.

By using the website without changing the browser settings, i.e. with the default acceptance of cookies and similar technologies, is understood as a consent to their use for the purposes specified herein.

The Controller informs that in the event that files are necessary for the operation of the Platform, limiting their use may prevent the use of the Platform's services.

The browser settings of the Users' device shall allow cookies to be saved and the setting shall allow the consent to be given by clicking "ok" in the window that appears after entering the Platform with the information: "This website uses cookies to ensure the proper provision of services. By continuing to use the website, you agree to their use - these files will be saved on your device."

Providers, including payment providers, may process the User's data and collect cookies based on the User's consent given separately. The Controller reserves that the Providers may use cookies and similar technologies, out of many, for analytical, advertising or affiliate purposes.

The Controller may also use the services of Google Analytics and other Providers, including social networking sites, for the purposes of traffic analysis and affiliate connections. These analytical and marketing tools store information in cookies in order to generate statistics on the traffic of our Website and establishing affiliate connections. These functions are necessary to view and monitor the performance of the Website, as well as to popularize and improve it. By using these tools, we do not process personal data or other identifiers leading to indirect identification of data subjects. The Controller reserves, however, that your personal data may be processed by the Providers of these services, based on their privacy policies. Suppliers, including payment providers, may process User data and collect cookies based on the User's separately granted consent. The Administrator stipulates that Providers may use cookies and similar technologies for, among other things, analytical, advertising or affiliation purposes.

- **PRIVACY POLICY CHANGES AND COOKIES**

The Controller is entitled to change this document, about which the User shall be informed in a way that it is possible to be familiarized with the changes before they are in force, e.g. by posting appropriate information on the Website by sending a notification to an e-mail address provided by the User.

If the User has reservations regarding introduced changes, the User may demand to delete personal data on the Website. Continuation of the Website's use, after publication or sending notifications about the Privacy Policy changes, is understood as an act of agreement to collect, use and share personal data of the User pursuant to the amended content of the document.

This document does not limit any kind of rights exercised by the User pursuant to applicable law.