

PRIVACY POLICY

www.Komoverapp.com

I. PRIVACY POLICY AND DATA PROTECTION

In compliance with current legislation, **KOMOVER** (hereinafter, the app and Website) undertakes to adopt the necessary technical and organizational measures, in accordance with the level of security appropriate to the risk of the data collected.

Laws incorporated into this Privacy Policy

This Privacy Policy is adapted to the current Spanish and European regulations on personal data protection on the Internet. Specifically, it complies with the following regulations:

- El Reglamento (UE) 2016/679 del Parlamento Europeo y del Consejo, de 27 de abril de 2016, relativo a la protección de las personas físicas en lo que respecta al tratamiento de datos personales y a la libre circulación de estos datos (RGPD).
- La Ley Orgánica 3/2018, de 5 de diciembre, de Protección de Datos Personales y garantía de los derechos digitales (LOPD-GDD).
- El Real Decreto 1720/2007, de 21 de diciembre, por el que se aprueba el Reglamento de desarrollo de la Ley Orgánica 15/1999, de 13 de diciembre, de Protección de Datos de Carácter Personal (RDLOPD).
- La Ley 34/2002, de 11 de julio, de Servicios de la Sociedad de la Información y de Comercio Electrónico (LSSI-CE).

Identity of the Data Responsible

The data responsible of the personal data collected in Komover is: Martín Muñoz Rodera, with Tax Identification Number (NIF): 4310125553k (hereinafter, the Data Controller).

His contact details are as follows:

Address: C/ Guatlera N°5, ESC 2, 2Dª

Contact phone number: +34 679 70 98 57

Contact email: soporte@komoverapp.com

Personal Data Records

In compliance with the provisions of the GDPR and the LOPD-GDD, we inform you that the personal data collected by Komover, through the forms available on its pages, will be incorporated and processed in our records for the purpose of facilitating, expediting and fulfilling the commitments established between Komover and the User, or maintaining the relationship established through the forms completed by the User, or to respond to a request or inquiry made by the User.

Likewise, in accordance with the provisions of the GDPR and the LOPD-GDD, unless the exception set out in Article 30.5 of the GDPR applies, a record of processing activities is maintained which specifies, according to their purposes, the processing activities carried out and the other circumstances established in the GDPR.

Principles Applicable to the Processing of Personal Data

The processing of the User's personal data shall be subject to the following principles set out in Article 5 of the GDPR and in Article 4 and following of Ley Orgánica 3/2018, de 5 de diciembre, de Protección de Datos Personales y garantía de los derechos digitales:

- Principle of lawfulness, fairness and transparency: the User's consent shall be required at all times following fully transparent information regarding the purposes for which personal data is collected.
- Principle of purpose limitation: personal data shall be collected for specified, explicit and legitimate purposes.
- Principle of data minimization: personal data collected shall be strictly limited to what is necessary in relation to the purposes for which it is processed.
- Principle of accuracy: personal data must be accurate and kept up to date at all times.
- Principle of storage limitation: personal data shall only be retained in a manner that permits identification of the User for as long as necessary for the purposes of its processing.
- Principle of integrity and confidentiality: personal data shall be processed in such a way as to ensure appropriate security and confidentiality.
- Principle of accountability: the Data Controller shall be responsible for ensuring compliance with the above principles.

Categories of Personal Data

The categories of data processed in Komover are strictly those necessary for the use of its application. In any case, if special categories of personal data within the meaning of Article 9 of the GDPR are processed, the User's consent will be obtained.

KOMOVER may process the following categories of data:

- Identification data: name, email address or other data provided by the user
- Location data: the user's geographical location (precise or approximate)
- Usage data: interaction with the app, navigation and content viewed
- Technical data: device identifiers, operating system, IP address

Legal Basis for the Processing of Personal Data

The legal basis for the processing of personal data is consent. Komover undertakes to obtain the User's express and verifiable consent for the processing of their personal data for one or more specific purposes.

The User shall have the right to withdraw their consent at any time. It shall be as easy to withdraw consent as it is to give it. As a general rule, the withdrawal of consent shall not affect the use of the Website or the Application, although some functionalities may no longer be available.

Geolocation

KOMOVER uses the user's location data to provide relevant nearby content.

The location used by the App may be precise (GPS) or approximate. Geolocation will only be used when the app is in use or at all times, depending on the user's choice. Under no circumstances may KOMOVER use geolocation functionalities without the user's prior consent. Likewise, the user may disable location services at any time through their mobile device settings.

However, disabling location services may limit essential functionalities of the App.

On occasions where the User must or may provide their data through forms in order to make inquiries, request information or for reasons related to the content of the Website, they will be informed if the completion of any of these fields is mandatory, as they may be essential for the proper execution of the requested operation.

Purpose of Processing – Use of Personal Data

The data collected by the Website and the Komover application, following the User's explicit consent and acceptance of this Privacy Policy, is mainly used for the following purposes:

- Enabling the operation of the App
- Displaying events, promotions and nearby content based on the user's location
- Personalizing the user experience
- Managing inquiries and support
- Improving the service through statistical analysis

Personal data is collected and managed by Komover for the purpose of facilitating, expediting and fulfilling the commitments established between the Website, the App and the User, or maintaining the relationship established through the forms completed by the latter, or to respond to a request or inquiry.

Likewise, the data may be used for commercial purposes related to personalization, operational and statistical activities, as well as activities related to the corporate purpose of Komover, including data extraction, storage and marketing studies in order to adapt the content offered to the User, as well as to improve the quality, performance and navigation of the Website and the App.

At the time personal data is obtained, the User will be informed about the specific purpose or purposes of the processing for which the personal data will be used; that is, the use or uses that will be made of the collected information.

Retention Periods of Personal Data

Personal data will only be retained for the minimum time necessary for the purposes of its processing and, in any case, only for the following period, or until the User requests its deletion.

At the time personal data is obtained, the User will be informed about the period during which the personal data will be retained or, when that is not possible, the criteria used to determine this period.

Recipients of Personal Data

The User's personal data will be shared with the following recipients or categories of recipients:

- Komover, with registered address at C/ Guatlera nº5, ESC 2, 2Dª, Nuestra Señora de Jesús, Ibiza 07819, Spain.
- Website domain: www.komoverapp.com
- App: Komover
- For any questions regarding the processing of personal data in accordance with the LOPD, you may contact: soporte@komoverapp.com

In the event that the Data Controller intends to transfer personal data to a third country or an international organization, the User will be informed, at the time the personal data is collected, about the third country or international organization to which the data is intended to be transferred, as well as the existence or absence of an adequacy decision by the European Commission.

Personal Data of Minors

In compliance with the provisions of Articles 8 of the GDPR and 7 of Organic Law 3/2018 of December 5 on the Protection of Personal Data and the guarantee of digital rights, only individuals over 14 years of age may lawfully give their consent for the processing of their personal data by Komover.

If the User is under 14 years of age, the consent of parents or legal guardians will be required for the processing, and such processing will only be considered lawful to the extent that it has been authorized by them.

Confidentiality and Security of Personal Data

Komover undertakes to adopt the necessary technical and organizational measures, in accordance with the level of security appropriate to the risk of the data collected, in order to ensure the security of personal data and to prevent the accidental or unlawful destruction, loss or alteration of personal data transmitted, stored or otherwise processed, or unauthorized disclosure of or access to such data.

The Website has an SSL (Secure Socket Layer) certificate, which ensures that personal data is transmitted securely and confidentially, as the transmission of data between the server and the User, and in feedback, is fully encrypted.

However, since Komover cannot guarantee the invulnerability of the Internet or the complete absence of hackers or others who may fraudulently access personal data, the Data Controller undertakes to inform the User without undue delay when a personal data breach occurs that is likely to result in a high risk to the rights and freedoms of natural persons.

In accordance with Article 4 of the GDPR, a personal data breach shall mean any breach of security leading to the accidental or unlawful destruction, loss or alteration of personal data transmitted, stored or otherwise processed, or the unauthorized disclosure of or access to such data.

Personal data shall be treated as confidential by the Data Controller, who undertakes to inform and to guarantee, through a legal or contractual obligation, that such confidentiality is respected by its employees, associates and any person to whom the information is made accessible.

Rights Derived from the Processing of Personal Data

The User has the following rights in relation to Komover and may therefore exercise the following rights against the Data Controller, as recognized in the GDPR and Organic Law 3/2018 of December 5 on the Protection of Personal Data and the guarantee of digital rights:

- **Right of access:** This is the User's right to obtain confirmation as to whether or not Komover is processing their personal data and, if so, to obtain information about their specific personal data and the processing carried out or to be carried out by Komover, as well as, among other things, information available on the origin of such data and the recipients of communications made or planned.

- Right to rectification: This is the User's right to have inaccurate personal data corrected or, taking into account the purposes of the processing, completed if incomplete.
- Right to erasure ("right to be forgotten"): This is the User's right, provided that current legislation does not establish otherwise, to obtain the erasure of their personal data when it is no longer necessary for the purposes for which it was collected or processed; when the User has withdrawn their consent and there is no other legal basis for the processing; when the User objects to the processing and there is no overriding legitimate ground for continuing it; when the personal data has been unlawfully processed; when the personal data must be erased in compliance with a legal obligation; or when the personal data has been obtained in relation to the offer of information society services directly to a child under 14 years of age.
- In addition to erasing the data, the Data Controller, taking into account available technology and the cost of its implementation, shall adopt reasonable measures to inform other data controllers processing the personal data of the data subject's request for the erasure of any links to, or copy or replication of, those personal data.
- Right to restriction of processing: This is the User's right to limit the processing of their personal data. The User has the right to obtain restriction of processing when they contest the accuracy of their personal data; when the processing is unlawful; when the Data Controller no longer needs the personal data but the User requires it for the establishment, exercise or defense of legal claims; and when the User has objected to the processing.
- Right to data portability: Where processing is carried out by automated means, the User shall have the right to receive their personal data from the Data Controller in a structured, commonly used and machine-readable format and to transmit it to another data controller. Where technically feasible, the Data Controller shall transmit the data directly to that other controller.
- Right to object: This is the User's right to object to the processing of their personal data or to request that such processing cease.
- Right not to be subject to a decision based solely on automated processing, including profiling: This is the User's right not to be subject to an individual decision based solely on automated processing of their personal data, including profiling, unless otherwise provided by applicable legislation.

Exercise of Rights

The User may exercise their rights by written communication addressed to the Data Controller with the reference "GDPR – www.Komoverapp.com" , specifying:

- Name and surname of the User, and a copy of their ID document. In cases where representation is permitted, identification by the same means of the person representing the User will also be required, as well as documentation proving such representation. A copy of the ID document may be replaced by any other legally valid means that proves identity.
- Request specifying the reasons for the application or the information to which access is requested.
- Address for notification purposes.
- Date and signature of the applicant.
- Any document supporting the request.

This request and any other attached documentation may be sent to the following address and/or email:

Postal address: C/ Guatlera N^º5, ESC 2, 2D^a

Email: soporte@komoverapp.com

Links to Third-Party Websites

The Website and the App may include hyperlinks or links that allow access to third-party websites other than Komover, and which are therefore not operated by Komover.

The owners of such websites will have their own data protection policies and shall themselves be responsible, in each case, for their own files and their own privacy practices.

Complaints to the Supervisory Authority

If the User considers that there is a problem or a violation of the applicable regulations in the way their personal data is being processed, they shall have the right to effective judicial protection and to lodge a complaint with a supervisory authority, in particular in the State in which they have their habitual residence, place of work or place of the alleged infringement.

In the case of Spain, the supervisory authority is the Agencia Española de Protección de Datos (<https://www.aepd.es/>).

II. THIRD PARTIES IN THE USE OF KOMOVER

Komover allows users, including businesses and promoters, to publish events, promotions and content.

Komover acts as an intermediary and does not carry out prior control of the publications. However, it may remove content when:

- It is unlawful or offensive.
- It infringes the rights of third parties, whether individuals or legal entities.
- It does not comply with applicable regulations in force.

Users are solely responsible for the content they publish, including its accuracy, truthfulness and compliance.

Komover does not guarantee the availability or accuracy of the events, nor does it assume responsibility for cancellations or changes.

Komover will provide a contact channel for reporting content. Users may also submit complaints or reports regarding content published in the App via the following email: soporte@komoverapp.com

III. ACCEPTANCE AND CHANGES TO THIS PRIVACY POLICY

It is necessary that the User has read and agrees with the conditions regarding the protection of personal data contained in this Privacy Policy, as well as accepts the processing of their personal data so that the Data Controller may proceed with it in the manner, during the periods and for the purposes indicated. The use of the Website and the App shall imply acceptance of this Privacy Policy.

Komover reserves the right to modify its Privacy Policy, according to its own criteria, or motivated by a legislative, jurisprudential or doctrinal change of the Spanish Data Protection Agency. Changes or updates to this Privacy Policy will not be explicitly notified to the User. The User is recommended to consult this page periodically to stay informed of the latest changes or updates.

This Privacy Policy was updated to comply with Regulation Reglamento (UE) 2016/679 del Parlamento Europeo y del Consejo, de 27 de abril de 2016, relativo a la protección de las personas físicas en lo que respecta al tratamiento de datos personales y a la libre circulación de estos datos (RGPD) y a la Ley Orgánica 3/2018, de 5 de diciembre, de Protección de Datos Personales y garantía de los derechos digitales.