

## PRIVACY POLICY

**Data controller: Frst Media s.r.o., limited liability company existing under the laws of Czech Republic, with its registered office at Českobratrské náměstí 285/5, Mladá Boleslav II, 293 01 Mladá Boleslav, Czech Republic, ID No.: 19558198, registered in the Commercial Register at the Municipal Court in Prague under No. C 388382 ("We").**

We consider the responsible processing and protection of collected personal data to be very important for building trust with Our customers and partners. In this processing information We therefore describe what personal data We process, why We do so, to whom We transfer your data, what rights you have against Us and how you can exercise them.

At [www.frsthand.com](http://www.frsthand.com), We operate a platform (the "**Platform**") on which photographers, reporters, bloggers and other users can offer services consisting mainly of providing licenses to and creating custom photographs, videos, articles, blog posts and other information and materials (users providing the services are further referred to as the "**Creators**") for the benefit of other users, mostly online or offline newspapers and magazines who may purchase the services (users purchasing the services are further referred to as the "**Customers**").

We process personal data in accordance with 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 ("**GDPR**").

We recommend that you read this information carefully. If you have any questions, you can contact Us at any time using the contact details below.

Information on the use of cookies and similar technologies is contained in the separate [Cookie Processing Information](#). Whenever We refer to processing on Our Platform, We also refer to processing in Our other online presentations.

### **A. PERSONAL DATA PROCESSED**

In particular, We process data that you yourself have provided to Us or that We have obtained from your use of the Platform, communication with Us, etc., as well as data derived from these data. With your consent, We may also obtain data from social networks such as Facebook or from Google when you connect your social network or Google account to Our Platform.

For the sake of clarity, We have divided the data processed by Us into several categories, to which We refer in this document:

- **Identification information** such as first name, last name and username. These data are required for the proper functioning of Our Platform and providing services and to be able to contact you on your behalf.
- **Contact details** such as address, telephone number and email address. These are needed to communicate with you and to be able to provide some of Our products and services.
- **User account content** such as profile photo, bio with information about the Creator and personal topics. These data are used for automated creation of personalized content to best match your interests and your chosen personal topics and for other purposes stipulated below.

- **Purchase details** such as orders, order number, bank account information, payment method, payment of credits from orders, invoices, credit status, etc. These are required for the proper functioning of Our products and services and to be able to arrange payments for credits and other services.
- **User content** such as photographs, videos, articles, blog posts and other information and materials. These data are used to fulfill the purpose of the Platform and for the automated processing of uploaded user content to protect the rights of users and third parties, to verify the authenticity of uploaded content and to better connect with other users.
- **Communication data** such as information about communications with you, such as emails, call logs, chats, content of contact forms, reviews, etc. We use these data to mediate communication between you and Our Platform, which you can use to solve any issues relating to the usage of the Platform, on the basis of which We can further improve the Platform.
- **Platform usage data** such as information about your use of Our Platform and Our associated services and products and your behavior on the Platform such as identification of your device, its IP address, license and confirmation information, order content, location data, HTTP logs of Platform usage obtained via your device used to access the Platform, browser name and technical information about your means of connection to Our Platform, such as the operating system and the Internet service providers utilized, etc. These data are used for the proper functioning and improvement of the Platform and the optimization of its functions.
- **Cookie data** such as data obtained from cookies and similar technologies that We use. For more information about their use, please read Our [Cookie Processing Information](#). We collect this data mainly to ensure the basic functioning of the Platform, its stability and security, and to improve the user experience, so that information regarding your preferences and interests remains stored on the Platform and is used by the Platform on your next visit.

## **B. PURPOSES OF THE PROCESSING OF PERSONAL DATA**

We process your personal data as a data controller for the processing purposes set out below, on the basis of the legal bases set out here, for a limited period of time and only to the extent described here.

In the first part of this section, We describe the processing of your data related to the provision of Our products and services. In the second part We further describe the processing related to the technical use of Our Platform.

- **Processing related to the provision of services**

### **B.1 Provision of services and related information**

We primarily process personal data to provide you with Our services and to treat you as a Creator and Customer, in particular when you register on the Platform, create a user account and making your account visible for other Creators and Customers, contact Us for further information, use credit system available on the Platform, provide a purchase your services, ensure mutual communication via the Platform or other means of communication. As part of this, We may also send you messages and emails about the conclusion and performance of a contract, new product and service releases, payment reminders, etc.

For this purpose, We process your Identification information, Contact details, User account content, Purchase details, User content, Communication data and Platform usage data and Cookies data to the extent that are necessary for provision of Platform.

We may also provide your personal information to Our partners who help Us process your payments for products and services you have ordered or in cases where you want to receive your reward for services provided through Platform.

Also, your personal data stipulated above are used for the personalization of your user profile in the Platform. This profiling is based on your preferences, information you provide and also your activity in the Platform. This part of processing is also part of Our services and you are able to manage it through settings in the Platform.

The legal basis for this processing is the performance of the contract between you and Us and the need to take steps at your request before entering into the contract or, where you are not directly party to the contract (if you are, for example, an employee of the Creator or Customer), Our legitimate interest in the performance of any contract entered into.

The data are processed for the duration of the concluded contract and for the period necessary for the performance of the obligations under such contract.

## **B.2 Arranging the providing and purchasing of your services**

We process the data (especially photographs, videos, articles, blog posts and other information and materials) you provide Us during providing and purchasing your services as a Creator and Customer. To do this, We are using tools that automatically process your personal data. As part of this activity, We allow you to upload User content to the Platform visible to others, We also allow all Creators who are in a certain level of fulfillment of their profiles to participate in and subsequently mediate orders to these Creators and Customers.

For this purpose, We process your Identification information, Contact details, User account content, Purchase details, User content, Communication data and Platform usage data.

The legal basis for this processing is the performance of the contract between you and Us, mediating the contact between Creator and Customer and the operation of the Platform.

Personal data are processed for the duration of the concluded contract and also after deleting the user account for the reason of protection of Our claims (according to the purposes stipulated below). According to the level of your account, the period of storage may vary due to the fact that more personal data will be stored to protect Our claims.

## **B.3 Support and promotion of Our products and services**

We may process the data you provide when registering, or purchase Our products and services to inform you about Our other products, services or promotions, news, announcements, new releases, etc.

For this purpose, We process your Identification information, Contact details and other information connected to newsletters (location information).

The legal basis for this processing is Our legitimate interest in supporting and promoting Our products and services. The data is processed until a maximum of 3 years after the termination of the contract concluded with you.

In addition to objecting to the processing of data for this purpose (see D.8), you may opt-out of receiving any newsletters at any time by using the unsubscribe links provided in the footer of each message sent. You may also opt-out via user settings in the Platform.

## **B.4 Protection against piracy and unauthorized use of Our services**

We may also process your data to protect Us, other Creators and Customers and third persons from piracy and unauthorized use of Our products and services and your services to ensure their safe use. We may also process your data for the purposes of keeping internal records within Our company, recording payments made, producing statistical reports, protecting Our rights and legal claims, and to ensure that only you use Our services in accordance with their terms.

For this purpose, We process your Identification information, Contact details, User account content, Purchase details, User content, Communication data and Platform usage data, Cookie data (necessary if required according to case-by-case basis).

The legal basis for this processing is Our legitimate interest in protecting against piracy and unauthorized use of Our products and services and yours services.

We process the data until a maximum of 10 years after the end of the concluded contract or for 3 years after the collection of the data if no contract has been concluded. The period will also vary according to the level of your user profile in the Platform. If there is only basic information about your profile, you never used credits or provided services through the Platform, the period for processing will be 3 years in general. In higher levels of your profile, the period will be up to 10 years after the end of the concluded contract.

#### **B.5 Improving Our products and services**

We may process data about how you use Our products and services, analyze User content, what features you use most, etc., so that We can better understand how you use them and trends in their use and then improve and further develop them to your satisfaction. To do this, We are using tools that automatically process your personal data.

For this purpose, We process your Identification information, Contact details, User account content, User content, Communication data and Platform usage data.

The legal basis for this processing is Our legitimate interest in improving Our products and services, and the data is processed for a maximum of 3 years from the date of collection.

#### **B.6 Fulfilling legal obligations**

We may also process your personal data in order to comply with Our legal obligations, particularly in the area of taxes. At the same time, We need to be prepared to provide cooperation to state authorities if We are required to do so by law.

For this purpose, We process your Identification information, Contact details, User account content, Purchase details, User content, Communication data, Platform usage data and Cookie data.

The legal basis for this processing is the fulfillment of Our legal obligations. The data is processed for the period of time required by law.

- **Processing related to the use of the Platform**

#### **B.7 Platform operation and security (necessity)**

We process your personal data for the operation of the Platform and its security, i.e. for the presentation of information on the Platform, the internal functioning of the Platform, your identification as a Creator or Customer when browsing and repeated visits to the Platform, and for ensuring your security.

For this purpose, We process your Platform usage data and Cookie data.

The legal basis for this processing is Our legitimate interest in the proper functioning and safe operation of Our Platform. Data are processed, as a rule, for the duration of your visit to the Platform, for a maximum of 1 year from the date of collection.

#### **B.8 Platform customization (preferences)**

We process your personal data to customize the Platform to your preferences and save them. This enables Us to make it easier for you to browse the Platform and to customize the Platform for you in terms of location, language options, device of choice, etc.

For this purpose, We process your Platform usage data based on Our legitimate interest in tailoring the Platform to customer preferences. Personal Data are processed until a maximum of 3 years after your visit to the Platform.

With your consent, We may also process Cookie data for this purpose, which make it easier for Us to further adapt Our Platform to your preferences (preference cookies), in which case your personal data may also be transferred to third parties. The legal basis for processing here is thus your consent, which you have given via the cookie bar. The personal data is processed until your consent is withdrawn, but in any case, for a maximum of 1 year after your visit to the Platform.

#### **B.9 Analysis of Platform traffic (analytics)**

We process your personal data to understand how visitors use Our Platform. As part of this, We can monitor traffic to Our Platform, optimize it and generally make your visit to the Platform smoother and more user-friendly.

For this purpose, We process your Platform usage data based on Our legitimate interest in obtaining information about the use of Our Platform for its further development. The personal data is processed until a maximum of 3 years after your visit to the Platform.

With your consent, We may also process Cookie data for this purpose, which facilitates Us to make more detailed analyses of your visits to the Platform (analytical cookies), in which case your personal data may also be transferred to third parties. The legal basis for processing here is thus your consent given via the cookie bar. The personal data is processed until your consent is withdrawn, but in any case, until a maximum of 1 year after your visit to the Platform.

#### **B.10 Web support and promotion (marketing)**

With your consent, We may process Cookie data for this purpose, which facilitates Our ability to get to know you better and to better target advertisements (marketing cookies), in which case your personal data may also be transferred to third parties. The legal basis for processing here is thus your consent given via the cookie bar. The personal data is processed until your consent is withdrawn, but in any case, until a maximum of 1 year after your visit to the Platform.

### **C. SHARING OF PERSONAL DATA**

As a data controller, We determine the purposes for which We obtain and process your personal data, choose the means of processing your data and are responsible for any processing of such data.

At the same time, We may share personal information with third parties who help Us provide Our products and services to you. These parties act as Our data processors and will only process personal data for Us, within the scope of Our processing purposes set out above. Specifically, this includes the company UX Fans s.r.o. which provides software development services to Us, and a company providing cloud storage services.

Your personal information may also be shared with others, such as social networks, if We have obtained your consent for such sharing (by accessing your data through registration procedure). Specifically, this includes Facebook, Google, Twitter, or Pinterest.

As part of the purpose "Support and promotion of Our products and services" We share personal data with third parties as data controllers to help Us with informing you about Our news and services and with promoting them. These third parties include company Intuit Inc.

In addition to this, We may share your personal data with certain third parties as data controllers for the purpose of "Fulfilling Legal Obligations" where We are obliged to do so under applicable legislation (in particular, administrative authorities, police authorities and judicial authorities). Similarly, We may be obliged to share your data with persons who claim to have been harmed by your conduct. Also, as We are using a payment services provider, personal data may be collected and shared with said payment service provider.

Where We share your personal data with controllers and processors in third countries (outside the EEA), We only do so where there is a decision by the European Commission that a particular country outside the EEA provides an adequate level of data protection, including where controllers or processors have adopted additional data protection measures such as Binding Corporate Rules (BCRs) or Standard Contractual Clauses (SCCs).

#### **D. YOUR RIGHTS IN PROCESSING AND THE POSSIBILITY OF EXERCISING THEM**

Just as We have rights and obligations when processing your personal data, you have certain rights when processing your personal data as set out in the following paragraphs. You have the right to (i) request access to your personal data; (ii) withdraw your consent; (iii) not to be subject to a decision based solely on automated processing, including profiling (iv) repair of personal data; (v) request erasure of your personal data; (vi) request restriction of the processing of your personal data; (vii) request portability of your personal data; (viii) object to the processing of your personal data; or (ix) lodge a complaint with the relevant supervisory authority.

In all matters related to the processing of your personal data, whether it is a question, the exercise of rights, sending a complaint to Our hands, etc., you can contact Us at [info@frsthand.com](mailto:info@frsthand.com).

Your request will be processed without undue delay, at most within 1 month. In exceptional cases, in particular due to the complexity of your request, We are entitled to extend this period by a further 2 months. We will, of course, always inform you of any such extension and the reason for it.

You also have the right to lodge a complaint with the supervisory authority as described below.

##### **D.1 Right of access**

You have the right to obtain confirmation from Us as to whether or not We are processing your personal data. If We process your personal data, you also have the right to request access to information about the purpose and scope of the processing, the recipients of the data, the duration of the processing, the right to rectification, erasure, restriction of processing and to object to the processing, the right to file a complaint with a supervisory authority and the sources of the personal data (this information is already provided in this

document). You can also ask Us for a copy of the personal data We process. We provide the first copy free of charge; further copies may be subject to a fee. The scope of the data provided may be limited so as not to interfere with the rights and freedoms of others.

#### **D.2 Right to withdraw consent**

You have the right to withdraw your consent to the processing of personal data at any time. However, the withdrawal of consent does not affect the lawfulness of the processing prior to such consent, nor does it lead to the termination of the processing of personal data that has already been anonymized.

#### **D.3 Right to not to be subject to a decision based solely on automated processing, including profiling**

You have the right to not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. It means that you have the right to withdraw your consent with automated processing, including profiling, of your personal data, as described above. You can withdraw the consent in your user profile settings.

However, this does not apply if the decision:

- is necessary for entering into, or performance of, a contract between you and Us;
- is authorized by Union or Member State law to which We are subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- is based on your explicit consent.

#### **D.4 Right to repair**

You have the right to request Us to correct inaccurate personal data concerning you. Depending on the purpose of the processing, you may also have the right to have incomplete personal data completed, including by providing an additional declaration.

#### **D.5 Right to erasure (right to be forgotten)**

You have the right to request the deletion of your personal data in cases where:

- We no longer need your personal data for the purposes for which it was collected or processed;
- you withdraw the consent on the basis of which the personal data was processed and there is no further reason for processing it;
- you object to processing and there are no other overriding reasons for processing, or you object to processing for direct marketing purposes;
- personal data is processed in violation of the law.

However, you cannot exercise this right where the processing is necessary for compliance with Our legal obligations or tasks entrusted to Us in the public interest or for the establishment, exercise, or defense of legal claims.

#### **D.6 Right to restriction of processing**

You have the right to request restriction of the processing of your personal data in cases where:

- you contest the accuracy of your personal data; in this case, you may request a restriction of processing until the accuracy of the personal data has been verified;
- the processing is contrary to the law and instead of erasure, you request a restriction of the processing of personal data;
- We no longer need your personal data for the purposes for which it was collected or processed, but you require it for the establishment, exercise, or defense of legal claims;
- you have objected to the processing of your personal data; in this case, you may request a restriction of processing until it is verified that Our legitimate interests prevail.

#### **D.7 Right to portability**

You have the right to obtain a copy of your personal data that We process by automated means on the basis of your consent or for the performance of a contract. We will transmit this data in a commonly used and machine-readable format to you or to a controller designated by you, if technically feasible. The scope of the data provided may be limited so as not to interfere with the rights and freedoms of others.

#### **D.8 Right to object**

You have the right to object to the processing of your personal data that We process on the basis of Our legitimate interest. We will stop processing your data if there are no other overriding reasons for processing or if the processing is not necessary for the establishment, exercise, or defense of legal claims or if you object to processing for direct marketing purposes.

#### **E. RIGHT TO FILE A COMPLAINT**

In addition to the possibility of exercising your rights with Our company, you can also file a complaint with the relevant supervisory authority, which is the Office for Personal Data Protection located at Pplk. Sochora 27, 170 00 Prague 7.

#### **F. CHANGES TO THIS INFORMATION**

This processing information is effective as of January 15, 2024. We are entitled to change this processing information from time to time, so please check it regularly. We will post any changes to this document via Our Platform.