

Privacy and cookies policy

The administrator of your personal data is Explain Visually with its registered office in Warsaw, ul. Złota 75A/7, 00-819 Warsaw, KRS: 0001052300, NIP: 5273070841, REGON: 526114096. We process your personal data for the purposes related to your use of our website, such as sending a newsletter, claims cases, analysis, statistics, marketing, etc. We process your personal data for the period of time necessary for the respective purpose. You have the right to access, rectify, erase or restrict the processing of your personal data, to object to the processing, as well as the right to data portability. In addition, you can lodge a complaint with the President of the Data Protection Authority. You can find detailed information on the principles of processing your personal data in the following section of the Privacy Policy. If you have any doubts about the Privacy Policy, you can contact us at any time by sending a message to: hello@explainvisually.co.

1: Who is the controller of your personal data?

The administrator of your personal data is Explain Visually with its registered office in Warsaw at ul. Złota 75A/7, 00-819 Warsaw, KRS: 0001052300, NIP: 5273070841, REGON: 526114096. This Privacy Policy applies to the website: www.explainvisually.co/. Regarding the social media profiles associated with our website, according to the case law of the Court of Justice of the European Union, the social media provider is a joint controller of personal data together with the controller of the respective profile. Details on the processing of personal data by the individual social media providers can be found here:

- Facebook,
- LinkedIn,
- Instagram,
- YouTube,

2: Who can you contact about the processing of personal data?

As part of the implementation of a data protection system in our organization, we have decided not to appoint a Data Protection Officer because it is not mandatory in our situation. In matters relating to data protection and privacy in the broadest sense, you can contact hello@explainvisually.co. Regarding social media, you can additionally contact directly the administrators of the social networks on which we maintain our profiles.

3: For what purposes do we process personal data?

These purposes are more than one. Below is a list of them, together with a more detailed discussion. We have also assigned the respective legal bases for processing to the various purposes:

Purpose of processing	Discussion of the purpose of processing	Legal basis
Handling the newsletter	When subscribing to the newsletter, you must provide the data necessary to receive the newsletter as specified in the subscription form. Providing the data is a condition for receiving the newsletter. In addition, the mailing system records your IP number, which you used when signing up for the newsletter, determines your approximate location, the mail client you use for email and tracks your actions taken in connection with the messages sent to you. Accordingly, we also have information on which messages you have opened, within which messages you have clicked on links, etc. In the mailing system, we may also define, based on various criteria related to your activity, interests or other preferences, specific groups or segments of newsletter recipients	Article 6(1)(b) RODO, Article 6(1)(f) RODO

	<p>influencing what kind of messages you receive in the newsletter. The data provided by you in connection with subscribing to the newsletter is used to send you the newsletter, and the legal basis for its processing is the performance of the contract for the provision of electronic services, as well as our legitimate interest, which in this case is the fulfilment of marketing purposes. With regard to the processing of information that does not originate from you, but is collected automatically by the mailing system, we rely in this respect on our legitimate interest to analyse the behaviour of newsletter subscribers in order to optimise mailing activities. You can unsubscribe from the newsletter at any time by clicking on the dedicated link included in each message sent as part of the newsletter, or by simply contacting us. Unsubscribing from the newsletter does not lead to the deletion of your data from the mailing system. The data is archived for the possible establishment, assertion or defence of claims related to the newsletter, as well as to ensure that it can be demonstrated that the newsletter activities were carried out lawfully.</p>	
<p>Contact and correspondence handling</p>	<p>When you contact us via the available means of communication, e.g. email, social messaging, chat rooms, etc., you naturally provide your personal data contained in the content of your correspondence. The provision of data is a prerequisite for making contact. In addition, the communication system records your IP number, which you used when sending the message. The communication system (e.g. chat, instant messaging) may be operated by an external provider. In this case, the use of the system is subject to the terms and conditions and privacy policy of the external provider. For details on the tools of external providers, please see the section on the tools we use. Data is processed for the purpose of communication, which is our legitimate interest. Once the communication has ended, the data</p>	<p>Article 6(1)(f) RODO</p>

	is archived for the possible establishment, investigation or defence of claims related to the communication.	
The defence, establishment or prosecution of claims	The use of our website, may give rise to certain claims on our side or yours in the future. Accordingly, we are entitled to process your personal data for the purpose of defending, establishing or pursuing a claim. As part of this purpose, we may process any personal data that relates to the claim in question, so the extent of the processing may vary depending on what the claim concerned. In this case, we rely on our legitimate interest in protecting our interests.	Article 6(1)(f) RODO
Social media handling	If you follow our social media profiles or interact with content that we publish on social media, we naturally see your data that is publicly available in your social media profile. We process this data only within the respective social network and only for the purpose of operating the respective social network, which is our legitimate interest. If you contact us via private message, you naturally provide us with your personal data contained in the content of the correspondence, in particular your image and your name. Your data is processed in this case for the purpose of contacting you, and the basis for processing is our legitimate interest. It may be the case that we are the party initiating contact with you via social media in order to offer cooperation, in which case your data will be processed for the purpose of seeking potential contractors, offering and establishing cooperation, which is our legitimate interest. Messages sent to us via social media are subject to automatic archiving via the tools available within the individual social networks and are available to us until you delete them. You have access to all messages exchanged with us in the private messages tab. Your use of social media sites is subject to the rules and privacy policies of the administrators of those sites, and those administrators provide electronic services to you, fully	Article 6(1)(f) RODO

	independently and autonomously of us.	
Organisation of promotional activities	In order to increase sales of products / services, we may run various promotional campaigns, including in cooperation with external partners. Rules related to the organisation of promotional campaigns are set out in separate regulations. The scope of personal data we will process in connection with the organisation of a promotional action may vary depending on the type of promotional action. The legal basis for processing your personal data is our legitimate interest, which in this case is marketing and increasing sales of our own products.	Article 6(1)(b) RODO, Article 6(1)(f) RODO
Implementation of data protection obligations	As a data controller, we are obliged to comply with data protection obligations. Accordingly, we may process your personal data insofar as this is necessary to comply with these obligations (e.g. when dealing with your request for your personal data). The extent of the data depends on what data we need to fulfil the obligation and prove compliance with the RODO. In addition, in this case we also rely on our legitimate interest in securing the data necessary to demonstrate accountability.	Article 6(1)(c) RODO, Article 6(1)(f) RODO

#4: What information do we have about you?

We have described the scope of processed data in relation to each processing purpose. The information in this regard is provided above, in point 3 of the Privacy Policy. Among the data are details such as:

- first and last name,
- email address,
- phone number,
- IP address,
- delivery address,
- invoice details,
- bank account number,
- details of placed orders,
- data collected in the mailing system,
- data related to added comments/opinions,
- information visible in social media profiles,
- information contained in correspondence.

#5: Where do we get your personal data?

In most cases, you provide the data yourself. For example, this happens when you contact us via email or chat, and also when you use functionalities available on our website or on external services (e.g., social media). In exceptional cases, we may obtain your personal data from other sources, such as when the entity employing you designates us to contact you regarding a concluded agreement, or when you represent an entity that enters into an agreement with us.

#6: Are the data secure?

We ensure the security of your personal data. We have analyzed the risks associated with individual data processing processes and then implemented appropriate security and personal data protection measures. We continuously monitor the state of technical infrastructure, train personnel, scrutinize applied procedures, and introduce necessary improvements.

#7: How long will we store personal data?

We process your personal data for as long as it is justified within the scope of a given purpose of personal data processing, and therefore processing periods vary depending on the purpose. Keep in mind that the termination of processing your data within one purpose does not necessarily lead to the complete deletion or destruction of your personal data, as the same set of data may be processed within another purpose for the period specified for it. Complete deletion or destruction of data occurs when we complete the fulfillment of all purposes and in other cases specified in the GDPR. Below is a description of processing periods:

- **Newsletter** – data related to the newsletter will be processed for the duration of your use of the newsletter;
- **Contact and correspondence handling** – data related to correspondence handling will be processed for the duration of contact between us;
- **Tax and accounting obligations** – data related to the performance of tax and accounting obligations will be processed for the period specified in tax law, usually 5 years from the end of the tax year.
- **Archive** – Data related to the archive will be processed until the information in the archive becomes obsolete.
- **Determination, investigation, and defense of claims** – Data related to claims will be processed until the expiration of claims, with the expiration period varying according to applicable legal provisions (e.g., for businesses, it might be 3 years, and for consumers, 6 years).
- **Social media** – Essentially, we have no influence on the storage period of your personal data on social media. They are available on platforms such as Facebook, Instagram, YouTube, or LinkedIn based on the rules outlined in the terms of service and privacy policy of these platforms. We are unable to remove your data from Facebook, Instagram, YouTube, or LinkedIn – only you can do that.
- **Own marketing** – Data related to our own marketing will be processed until it becomes obsolete or until you effectively object.
- **Organization of promotional activities** – Data related to the organization of promotional activities are processed for the necessary duration to conduct the promotional campaign.
- **Obligations related to the protection of personal data** – Data related to the protection of personal data will be processed until they become obsolete, until you effectively object, or until the expiration of the limitation period of our liability as the data controller.
- In the case where we process your personal data based on your consent, you can withdraw such consent at any time: either through your action or by contacting us using the provided contact details. Remember that withdrawing consent does not affect the lawfulness of processing carried out based on the consent given before its withdrawal.

#8: Who are the recipients of personal data?

We'll venture to say that modern business cannot do without services provided by third parties. We also use such services. Some of these services involve the processing of your personal data. External service providers participating in the processing of your personal data include:

- **hosting provider** – for the purpose of storing data on the server;
- **mailing system provider** – for the purpose of using the mailing system;
- **invoicing system provider** – for the purpose of issuing invoices;
- **CRM system provider** – for the purpose of improving work processes;
- **chat provider** – for the purpose of contact through the chat;
- **pop-up display system provider** – for the purpose of displaying pop-ups;
- **customer service system provider** – for the purpose of streamlining customer service processes;
- **landing page management tool provider** – for the purpose of collecting data through landing pages;
- **cloud computing provider** – for the purpose of using cloud solutions;
- **accounting office** – for the purpose of using accounting services;
- **legal office** – for the purpose of providing legal services on our behalf;
- **technical support** – for the purpose of conducting technical work in areas where data is processed;
- **order fulfillment entity, courier company, Polish Post** – for the purpose of handling logistical aspects of orders involving physical products;
- **other subcontractors, especially IT solution providers** – for the purpose of collaborating with various subcontractors who may have access to your personal data if they provide services related to such access.

If necessary, your data may be disclosed to a legal advisor or lawyer bound by professional secrecy. The need may arise from the necessity of obtaining legal assistance requiring access to your personal data. Your personal data may also be transferred to tax authorities to the extent necessary to fulfill tax and accounting obligations. This includes all declarations, reports, statements, and other accounting documents containing your personal data. Additionally, if necessary, your personal data may be disclosed to entities, authorities, or institutions authorized to access data under the law, such as police services, security agencies, courts, and prosecutors. Your data is shared with courier companies to the extent necessary for order delivery. These companies become independent administrators of your personal data.

#9: Do we transfer data to third countries or international organizations?

Yes, some operations involving the processing of your personal data may involve their transfer to third countries. We transfer your personal data to third countries in connection with the use of tools utilizing resources located in third countries, especially in the USA. Providers of these tools ensure an adequate level of personal data protection through relevant compliance mechanisms provided by the GDPR, particularly by utilizing standard contractual clauses. Currently, your personal data is transferred to third countries as we utilize the following solutions:

Solution Type	Solution Provider	Third Country
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#10: What rights do you have?

The GDPR grants you the following potential rights related to the processing of your personal data:

- the right to access your data and obtain a copy of it.
- the right to rectify (correct) your data.
- the right to erase data (if you believe there is no basis for us to process your data, you can request its deletion).
- the right to restrict data processing (you can request that we limit the processing of data solely to storage or agreed-upon actions if you believe we have incorrect data or are processing it unlawfully).
- the right to object to data processing (you have the right to object to data processing based on a legitimate interest; you should specify a particular situation justifying cessation of processing; we will stop processing your data for these purposes unless we demonstrate that our grounds for processing are superior to your rights or that your data is necessary for establishing, exercising, or defending claims).
- the right to data portability (you have the right to receive the personal data you provided to us in a structured, commonly used, machine-readable format; you can instruct us to transmit this data directly to another entity).
- the right to withdraw consent for processing personal data, if you have previously given such consent.
- the right to lodge a complaint with the supervisory authority (if you believe that we process data unlawfully, you can file a complaint with the President of the Personal Data Protection Office or another competent supervisory authority).

The principles related to the implementation of the rights mentioned above are detailed in Articles 16–21 of the GDPR. We encourage you to familiarize yourself with these provisions. It is important to note that the rights mentioned above are not absolute and will not apply to all processing activities of your personal data. We emphasize that one of the rights mentioned above is always available to you: if you believe that we have violated the provisions of personal data protection laws in processing your personal data, you have the right to lodge a complaint with the supervisory authority (the President of the Personal Data Protection Office).

#11: Do we use cookies and what are they exactly?

Our website, like almost all other websites, uses cookies. Cookies are small text information stored on your end device (e.g., computer, tablet, smartphone) that can be read by our teleinformatics system (first-party cookies) or the teleinformatics systems of third parties (third-party cookies). Certain information may be recorded and stored in cookie files, which teleinformatics systems can then access for specific purposes. Some cookies used by us are deleted after the end of the internet browser session, i.e., after it is closed (session cookies). Other cookies are stored on your end device and allow your browser to be recognized upon revisiting the website (persistent cookies).

#12: On what basis do we use cookies?

We use cookies based on your consent, except in situations where cookies are necessary for the proper provision of an electronic service to you. Cookies that are not essential for the proper provision of an electronic service remain blocked until you give your consent to use cookies. During your first visit to a particular website, we

display a message asking for your consent, along with the option to manage cookies, i.e., to decide which cookies you agree to and which ones you want to block.

#13: Can you disable cookies?

Yes, you can manage cookie settings within your internet browser. You can block all or selected cookies and also block cookies from specific websites. You can delete previously stored cookies and other website data at any time. Internet browsers also offer the option to use incognito mode. You can use it if you don't want information about visited pages and downloaded files to be saved in browsing and download history. Cookies created in incognito mode are deleted when all windows of this mode are closed. Browser plugins are also available that allow you to control cookies. Additional software, especially antivirus packages, may also provide options for controlling cookies.

#14: For what purposes do we use first-party cookies?

First-party cookies are used to ensure the proper functioning of various mechanisms on our websites, such as the correct submission of forms visible on the pages, handling newsletter forms, etc. First-party cookies also store information about the cookie settings you defined through the cookie management mechanism.

#15: How can you manage your privacy?

The answer to this question is found in various sections of this Privacy Policy when describing specific tools, behavioral advertising, cookie consent, etc. Nevertheless, for your convenience, we have gathered this information in one place. Below is a list of privacy management options.

- internet browser cookie settings
- browser plugins supporting cookie management, e.g., Ghostery
- additional software for managing cookies
- incognito mode in the internet browser
- behavioral advertising settings, e.g., youronlinechoices.com
- cookie management mechanism on our website

#16: Is there anything else you should know?

As you can see, the topic of personal data processing, the use of cookies, and the overall management of privacy is quite complex. We have made every effort to provide you with extensive knowledge on important matters. If anything is unclear, if you want to learn more, or if you simply want to discuss your privacy, feel free to contact us at hello@explainvisually.co.

#17: Can this Privacy Policy be subject to changes?

Yes, we can modify this Privacy Policy, especially due to technological changes and changes in legal regulations. Changes to the Privacy Policy take effect no earlier than 7 days after they are made. All archived versions of the Privacy Policy are linked below.

Privacy Policy effective from December 1, 2023.