

## PRIVACY STATEMENT FOR USERS

### 0. EXECUTIVE SUMMARY

#### 0.1 Why, what, where, when, who and how (long)

Why: Your personal data is needed to create an account so you (or the company or enterprise you represent) can use our services. We also use your personal data for account management (including customer service, invoicing). Other than for opening your account, we do not ask you for any personal data when rendering our services.

What (personal data): we collect and process limited personal data from the persons signing up for and on behalf of their companies and enterprises that wish to use our services. The personal data includes the (full) name, (email) address, (mobile) telephone number of the person signing up on behalf of their company or enterprise.

What else - cookies: we may use cookies to recognize visitors and remember their preferences (personalisation) and deliver better user experience (see our cookie statement [[link](#)] for more information).

What else - rights: you will obviously enjoy all rights as granted by applicable law (e.g. right to know what information we hold, right to be forgotten, right to amend, correct, delete, block your personal information).

What else - security: we have implemented a range of procedures, controls and measures to prevent unauthorised access to, and the misuse of, your personal data that we process (including encryption, prevailing access control tools and technologies and network security controls).

Where: we collect and process information through our website and app. On these platforms in your account, you can manage and maintain your personal information, including the cookie settings.

When: upon registration with us (or at any time thereafter), we may ask you to provide, update and complete relevant required personal information in your account.

Who: GenComm is responsible for the data it collects and acts as data controller; see paragraph 1.1 below for more information about GenComm.

Furthermore, GenComm may share certain personal information with its affiliated group companies (e.g. for customer service) and trusted subcontractors. GenComm is responsible for these parties (which act as data processor subject to a data processor agreement with GenComm).

How (long): we will collect and process your personal information in accordance with this privacy statement (including cookie statement) and retain personal data for as long as it is deemed necessary to manage the business relationship with you, to provide our services to you and to comply with applicable laws (including those relating to the retention of documents), to resolve disputes or claims, and - if otherwise necessary - to enable us to conduct our business.

The above is a general overview. Depending on the law that applies to you, we might be required to provide some additional information on your rights and our obligations. Please find below more detailed information about the use and process of your personal information.

### 1. INTRODUCTION AND DEFINITIONS

#### 1.1 About us

- 1.1.1 We are Generative Commerce B.V., a company incorporated under the laws of the Netherlands and having its registered office at Lijnbaansgracht 119-1, (1016 VV) Amsterdam ("GenComm", 'we', 'us', 'our').
- 1.1.2 We collect personal data via our platform (website/app) and cookies (see our cookie statement for more information).
- 1.1.3 The personal data that we collect in relation to its Users is for sign up and registration purposes only (including manage and maintain business relationship (e.g. account management, customer service, invoicing and fee collection)).

1.2 Privacy statement

1.2.1 This privacy statement explains how GenComm processes your personal data. "You", "your" or "User" means you, the user of our service as made available on our website/app (including any other natural person of whom the personal data is provided to GenComm)

1.2.2 This privacy statement applies to every group company of GenComm that is responsible for or involved in the processing of a User's personal data. Depending on the nature of the business relationship, various group companies of GenComm may be responsible for the processing of that personal data.

2. **DATA COLLECTION**

2.1 Personal data GenComm collects

2.1.1 We may ask you for the following personal data:

- **Contact details**

We collect relevant contact information from Users, such as first and last name, (email) addresses, (mobile) telephone numbers, credit card details (if required).

- **Financial data**

We collect data necessary for payment and billing purposes (including your bank details, bank account number, credit/ debit card and VAT number) and data otherwise required for invoice processing.

- **Other data**

When a User communicates with GenComm, we collect and process information about this communication.

2.2 Information We Collect Automatically

2.2.1 Depending on the business relationship and your settings on your laptop or mobile device, GenComm may also automatically collect information, some of which may be personal data. This data is collected when a User uses online services such as a registration form or a user account.

The data collected may include:

- Language settings
- IP address
- Geo location
- Place
- Device settings
- Device operating system
- Log information
- Time of use
- URL requested
- Status report
- User agent (information about the browser version)
- Browsing history
- the type of data being viewed

2.4 Other information we receive from other sources

- **Data related to requests from governmental authorities**

Law enforcement or tax authorities may contact GenComm with additional information about Users in the event that they are affected by an investigation.

- **Fraud Detection & Prevention, Risk Management & Compliance**

In certain cases, and as permitted by applicable law, GenComm may need to collect data from third party sources for fraud detection and prevention, risk management and compliance purposes.

### 3. PROCESSING PURPOSES AND SHARING

#### 3.1 Purposes

3.1.1 GenComm uses the previously described information about Users, some of which may be personal data, where relevant, for the following purposes:

##### **A. Registration and administration**

GenComm uses account information, contact details and financial information to manage and maintain the business relationship with the User and to render its service to you. This also applies to registration and verification purposes.

##### **B. Other activities, including marketing**

If a potential User has not yet completed the online registration, GenComm may save and send a reminder to complete the registration process. We believe that this extra service is useful for our (future) Users because it allows them to complete the registration without having to re-enter all registration details.

To the extent relevant to the business relationship, GenComm may use personal data for communication, including providing information about our services and product (including updates and upgrades), sending our newsletter, inviting Users to participate in surveys, reviews, groups, references, promotions or for other marketing communications. When we use personal information to send direct marketing messages electronically, we offer an opt - in option.

##### **C. Communication with or among Users**

GenComm has (access to) communication with you (telephone, chatbot , email, platform). We may also use automated systems to review, scan and analyze communications for the following purposes:

- Product development and improvement
- General research
- Customer engagement (including providing information or offers to guests that we think may be of interest to them)
- Safety
- Fraud prevention
- Compliance with legal and regulatory requirements
- Research possible misconduct
- Customer or technical support

Communications sent or received using GenComm's means of communication are received and stored by GenComm. We do not record all calls. If a call is recorded, each recording is kept for a limited time before being automatically deleted. This is the case unless we have determined that it is necessary to keep the recording for fraud investigation or legal purposes.

##### **D. Legal, regulatory and compliance**

GenComm may also use personal data to facilitate investigation and enforcement by competent authorities, if necessary. For these purposes, personal data may be shared with law enforcement authorities.

In certain cases, GenComm must use the information provided (which may include personal data) to handle and resolve legal disputes or for regulatory investigations, risk management and compliance. We may also use it to enforce our agreement(s) with Users or to resolve any complaint or claim involving a User, and in accordance with internal rules and procedures.

In addition, we may need to share information about Users (including personal data) where required to do so by law or strictly necessary to respond to requests from competent authorities. This includes tax authorities, courts, other government and public authorities or local municipalities. Finally, GenComm may use personal data for anti-money laundering verification and KYC (know your client) related purposes and obligations.

If we use automated means to process personal data that produces legal effects or significantly affects you or other natural persons, we will take appropriate measures to safeguard your or the other person's rights and freedoms. This includes the right to human intervention.

## 2.2 Legal grounds

- 2.2.1 As applicable for purpose A, GenComm assumes the legal basis that the processing of personal data is necessary for the execution of the agreement between the User and GenComm. If the required information is not provided, GenComm will not be able to work with a User and provide its service, nor will we be able to provide customer service.
- 2.2.2 For purposes B to D, GenComm relies on its legitimate interest to provide its services to, or obtain services from Users, to prevent fraud and to improve its services. When we use personal data to serve the legitimate interest of GenComm or a third party, we will always balance the rights and interests of the data subject and the protection of their information against the rights and interests of GenComm and/or the third party.
- 2.2.3 For purpose D, GenComm also relies, where applicable, on compliance with legal obligations (such as lawful law enforcement requests).
- 2.2.4 Finally, if necessary under applicable law, GenComm will obtain your consent before processing personal data, including for its services, marketing purposes or as otherwise required by law.
- 2.2.5 If you wish to object to the processing as set out under B to D and cannot find a way to opt out directly (for example in your account settings), please contact GenComm.

## 3. **SHARE WITH OTHERS**

### 3.1 Sharing with affiliated group companies

- 3.1.1 To support the use of GenComm services, your information (which may include personal data) may be shared with or within GenComm affiliates. This is done for the purposes described below, subject to any contractual terms.

The purposes for sharing data within the GenComm group of companies are:

- A. to offer, provide or make available services and products and to provide support (such as account management and any customer service, billing and collection);
- B. to prevent, detect and investigate fraudulent and other illegal activities;
- C. for analytical, quality and product improvement purposes (including monitoring conversations by live listening or recording for quality and training purposes);
- D. marketing activities (including news items) from which you can easily unsubscribe or unsubscribe) and to personalize online services;
- E. communication purposes (by email, telephone or post) for the above purposes (including survey, market research, reviews or ratings) or as necessary under our agreement with you;
- F. legal purposes, including the handling of complaints, claims, legal claims and for the detection of fraud (in which cases any telephone conversations may be recorded);
- G. to ensure compliance with applicable laws or law enforcement.

With a view to purpose A, and insofar as applicable, GenComm relies on the legal basis that the processing of personal data is necessary for the performance of the agreement with you for the purchase or use of the Product or Service.

GenComm further relies on its legitimate interest and that of its group companies to receive, process and share personal data as described under A to G. This is to provide services to or obtain services from Users, including to improve the services and to prevent fraud or other illegal acts. When personal data is used to serve the legitimate interest of GenComm or a third party, GenComm will always

balance the rights and interests of the person concerned in protecting their personal data and the rights and interests of GenComm or the third party.

For purpose G, GenComm also relies on compliance with legal obligations where applicable (such as lawful law enforcement requests or enforce its terms and conditions for use of the service).

Finally, where needed under applicable law, GenComm will obtain your consent prior to processing your personal data, including for email marketing purposes or as otherwise required by law.

If you wish to object to the processing as set out under B to G, and cannot find a way to unsubscribe directly (for example in your account settings), please contact GenComm.

### 3.2 Sharing with third parties

3.2.1 We may share and use the Users' information (which may include personal data) with third parties, as permitted by law and as described below:

- (a) Service providers (including Suppliers, auxiliaries and subcontractors). We share personal information with selected third-party service providers that support us with our products and services, billing/collection, prevent and detect fraud, store data and otherwise support our business processes.
- (b) Screening of sanctions lists or risk management as required by applicable law (including KYC (know your customer) and anti-money laundering obligations).
- (c) Forced disclosure. When required by law, strictly necessary for the performance of our services, in legal proceedings, or to protect our rights or the rights of users, we disclose personal data to law enforcement agencies, research organizations, users or group companies.

As applicable and unless indicated otherwise, for purpose (a) and (b) GenComm relies on the legal basis that the processing of personal data is necessary for the performance of a contract, and for purposes (a) to (c), GenComm relies on its legitimate interests to share and receive personal data, and, where applicable, for (c) on compliance with legal obligations (such as lawful law enforcement requests).

### 3.3 Third parties we use

3.3.1 We use the following third parties, which act as our data processor (unless indicated otherwise), subject to an appropriate data processing agreement.

[TBC]

## 4. SECURITY AND PROTECTION

4.1 You have access to your personal data via your Account.

4.2 We have procedures in place to prevent unauthorized access to and misuse of personal data.

4.3 We use appropriate business systems and procedures to protect and secure information, including personal data. We also use security procedures and technical and physical restrictions to access and use the personal information on our servers. Only authorized personnel have access to personal data in the context of their work.

## 5. DATA RETENTION

5.1 We retain personal data for as long as it is deemed necessary to manage the business relationship with a User, to provide GenComm services to a User and to comply with applicable laws (including those relating to the retention of documents), disputes or claims with any parties, and if otherwise necessary to enable us to conduct our business.

5.2 Any personal data we hold about you as a User is subject to this privacy statement and our internal retention guidelines. If you have any questions about the specific retention periods for the different types of personal data we process, please contact GenComm.

## 6. YOUR CHOICES AND RIGHTS

6.1 Depending on where you are located or the entity of GenComm that processes your personal data, different rights may apply to the processing of that data, as set out in this privacy statement. As applicable:

- You can ask us for a copy of the personal data we hold about you (see also your account settings with your relevant personal information),
- You can notify us of any changes to your personal information, or you can ask us to correct the personal information we hold about you,
- In certain situations, you can ask us to delete, block, amend or restrict the personal information we hold about you, or you can object to certain ways in which we use your personal information,
- In certain situations, you can also ask us to send the personal data you provide to us to a third party.

6.2 Where we use your personal information based on your consent, you have the right to withdraw that consent at any time, subject to applicable law. Where we process your personal data on the basis of legitimate interest or public interest, you also have the right to object at any time, subject to applicable law.

6.3 Regardless of your location or the GenComm entity you have a contract with, we rely on our Users to ensure that the personal information we hold is complete, accurate and current. Always inform us in good time of any changes or inaccuracies in your personal data.

## 7. **CONTACT US**

7.1 If you have any questions, wishes or comments about how we process your personal data, or if you would like to exercise any of the rights you have under this Privacy Statement, please contact us. You can also contact your local data protection authority.

7.2 We handle privacy specific questions, requests and concerns reported to us using internal policies and procedures based on applicable privacy laws, regulations and guidelines. We regularly review and improve this policy and procedures, also taking into account User feedback.

## 8. **CHANGES TO THIS PRIVACY STATEMENT**

This privacy statement may be amended or supplemented from time to time. If we intend to make material changes or changes that affect you, we will always contact you in advance. An example of this type of change would be if we started processing your personal data for purposes not described above.

Version: 3 September 2024

## GENCOMM COOKIE STATEMENT

### 1. LONG STORY SHORT

When using our website/app (" **Platform** "), we may – from time to time – use certain cookies and online tracking technologies (collectively "cookies") for a variety of reasons and in different ways, including to ensure a seamless and smooth use of our Platform, to improve traffic analyze or (if allowed) for advertising purposes and improve our services.

### 2. WHOLE STORY

Below you will find more information about the types of cookies and tracking technology – from time to time – used by GenComm and how they are used. In section 3 you will find what your choices are.

#### 2.1 What are cookies and online tracking technologies?

A web browser cookie is a small text file that websites place on the web browser of your computer or mobile device. These cookies store information about the content you view and use to remember your preferences and settings or to analyze how you use our online services.

There are 2 types of cookies:

- First party cookies are the cookies that are served and placed by GenComm.
- Third party cookies are cookies that are placed on our Platform by trusted partners that we have chosen to allow this. This can be social media partners, advertising partners, security providers and more.

And they can be either:

- Session cookies only exist until you close your browser, which ends the so-called "session". They will then be deleted.
- Persistent cookies have different lifespans and remain on your device after the browser is closed. On the Platform we try to only place permanent cookies (or have permanent cookies placed by third parties) that have a limited lifespan. However, for security reasons or in other exceptional circumstances, it is sometimes necessary to give a cookie a longer lifespan.

Web browser cookies may store information such as your IP address or other identifier, your browser type, and information about the content you view and use on digital services. By storing this information, web browser cookies can remember your preferences and settings for online services and analyze how you use them.

In addition to cookies, we also use tracking technologies that are very similar. Our Platform and emails may contain small transparent image files or lines of code that record how you interact with them. These include ' web beacons ', 'scripts', 'tracking URLs' or 'software development kits' (also known as SDKs ):

- beacons ( *web beacons* ) have many different names. They may also be known as web bugs , tracking bugs, tags, web tags, page tags, tracking pixels, pixel tags, 1x1 GIFs, or clear GIFs . Basically, these beacons are a small, single-pixel graphic that can be delivered to your device as part of a web page request, in an app, an ad, or an HTML email. They can be used to retrieve information from your device, such as your device type or operating system, your IP address and the time of your visit. They are also used to place and read cookies in your browser or to activate the placing of a cookie.
- Scripts are small computer programs embedded in our web pages that provide these pages with a wide variety of additional functionality. Scripts ensure that the website

functions properly. For example, scripts power certain security features and enable basic interactive features on our Platform. Scripts can also be used for analytical or advertising purposes. For example, a script may collect information about how you use our Platform, such as which pages you visit or search for.

- Tracking URLs are links with a unique identifier in them. These are used to keep track of which website led you to the Platform you are using. An example would be if you click through from a social media page or search engine.
- Software Development Kits (SDKs) are part of the source code of our apps and unlike browser cookies, SDK data is stored in the app store. They are used to analyze how the apps are used or to send personalized push notifications. To do this, they record unique identifiers associated with your device, such as device ID and IP address, as well as your in-app activity and your network location.

## 2.2 **How are cookies used?**

Cookies are used to collect information including:

- IP address
- Device ID
- Pages viewed
- Browser type
- Browsing Information
- Operating System
- Internet provider
- Timestamp
- Geolocation
- Whether you have responded to an advertisement
- A referrer URL
- Functions or activities used on the website/apps

This allows you to be recognized as the same user on the pages of a website, on different devices, between websites or when you use our apps. In terms of purpose, they are divided into three categories: functional cookies, analytical cookies and marketing cookies.

## 2.3 **Functional cookies**

These are cookies that are necessary for our websites and apps to function and they must be enabled so that you can use our services. Functional cookies are used to create technologically advanced, user-friendly websites and apps that automatically adapt to your needs and preferences so that you can browse and book with ease. This also includes enabling essential security and accessibility features.

More specifically, these cookies:

- Make sure our website and apps are working properly so that you can create an account, log in and view or effect your transactions.
- Remember your selected currency and language settings, your previous searches and other preferences to help you use our website and apps efficiently and effectively.
- Remember your registration details so you don't have to re-enter your login details every time you visit our website or app. (Don't worry, passwords are always encrypted.)

## 2.4 **Analytical cookies**

These cookies measure and track how our Platform is used. We use this information to improve our Platform and services, as these cookies:

- Help us understand how visitors and customers use GenComm and our Platform.

- Help improve our Platform and communication to ensure we are interesting and relevant.
- Let us discover what works and what doesn't on our Platform.
- Help us understand the effectiveness of advertising and communications.
- Teach us how users interact with our Platform after seeing an online advertisement, including advertisements on third-party websites.

The information we collect through these cookies may include which web pages you have viewed, which referring/exit pages you have entered and exited, which App type you have used, which emails you have opened and responded to, and date and timestamp information. It also means that we can use details about how you interacted with the Platform, such as the number of clicks you make on a given screen, your mouse movements and scrolling activity, the keywords you use and the text you enter in various fields. .

## 2.5 **Marketing cookies**

These cookies are used by GenComm and our trusted partners to collect information about you over time, across multiple websites, applications or other Apps. Marketing cookies help us decide which products, services and interest-based advertising we show you, both on and off our website and apps.

More specifically, these cookies:

- Classify you into a specific interest profile, for example based on the websites you visit and your click behaviour. We use these profiles to display tailor-made relevant content on our Platform.
- Display personalized and interest-based advertising, both on the Platform and on other third-party websites and apps (i.e. retargeting). This is based on your browsing activities, such as the products or services you searched for. It can also be based on your shopping habits or other online activities. Retargeting ads may be shown to you both before and after you leave GenComm, as they are intended to encourage you to browse or return to our Platform. You may see these ads on websites, apps, or emails.
- Integrate social media into our Platform. This allows you to like or share content or products on social media such as TikTok, Facebook, LinkedIn, Instagram, YouTube, BeReal, Twitter, Pinterest, Snapchat and LinkedIn, etc.
- These 'like' and 'share' buttons work with bits of code from the individual social media providers, allowing third-party cookies to be placed on your device. These cookies can be purely functional, but can also be used to keep track of which websites you visit from their network, to build a profile of your online surfing behavior and to show you personalized advertisements. This profile is partly built on the basis of comparable information that the providers receive from your visit to other websites in their network.

We work with trusted third parties to collect data. We may also sometimes share information with these third parties, such as your email address or phone number. These third parties may link your information to other information they collect to create custom audiences or deliver targeted advertising. Please see this third party privacy and cookie statement to understand how they may use and process your data.

## 2.6 **Non-Cookie Techniques – Email Pixels**

We may also use techniques, such as pixels, that we do not mark as cookies because they do not store information on your device. We sometimes place pixels in emails, such as newsletters. A "pixel" is an electronic file the size of a single pixel that is placed in the email

and loaded when you open it. By using email pixels, we can see if the message was delivered, if and when you read and clicked on the message.

We also receive this information about the push notifications we send you. These statistics provide us with feedback about your reading behaviour, with which we optimize our messages and make our communication more relevant to you.

### 3. **WHAT ARE YOUR CHOICES?**

For more information about cookies and how to manage or delete them, please visit [allaboutcookies.org](http://allaboutcookies.org) or the help section of your browser.

In the settings for browsers such as Safari, Edge , Firefox or Chrome you can choose which cookies you want to accept and which you want to refuse. Where you find these settings depends on the browser you are using. If you choose to block certain functional cookies, you may not be able to use some features of our services.

In addition to specific settings that we may offer on GenComm and apps, you can also opt out of certain cookies:

- **Analysis**  
To prevent Google Analytics from collecting analytical data about certain browser types, please visit the following link: [Google Analytics Opt - out Browser Add-on](http://Google Analytics Opt - out Browser Add-on) (available on desktop only).
- **Advertise**  
We always strive to partner with advertising and marketing companies that are members of the Network Advertising Initiative (NAI) and/or the Interactive Advertising Bureau (IAB). Members of the NAI and IAB adhere to industry standards and codes of conduct and provide you with the opportunity to opt-out of behavioral advertising.

Visit [www.networkadvertising.org](http://www.networkadvertising.org) to identify NAI members who may have placed advertising cookies on your computer. To opt out of a NAI member's behavioral advertising program, check the box corresponding to that company. You can also visit [www.youronlinechoices.com](http://www.youronlinechoices.com) or [www.youradchoices.com](http://www.youradchoices.com) to learn how to opt out of custom ads.

able to restrict the sharing of information for retargeting purposes on your mobile device via the settings. If you choose to do so, please note that opting out of an online advertising network does not mean that you will no longer see or be subject to online advertising or marketing analytics. It just means that the network you've opted out of will stop showing ads tailored to your web preferences and browsing patterns.

Some websites have 'Do Not Track' features that allow you to tell a website not to track you. We are currently unable to support 'Do Not Track' browser settings.

### 4. **HOW TO CONTACT US?**

If you have any questions about this cookie statement, please send an email to [justin@GenComm.com](mailto:justin@GenComm.com).

Our cookie statement may be updated from time to time. Visit this page regularly to learn more about our latest version.

Latest update: 3 September 2024.

