

Indie Solver EIRL Privacy Policy

Last update: August 29, 2018

We are very delighted that you have shown interest in our service. Please read this Privacy Policy carefully as it describes how Indie Solver, EIRL (collectively “Indie Solver”, “we” or “us”) collects, uses, stores, shares and safeguards your information whether collected from any Indie Solver operated website (collectively, the “Service”). Data protection is of a particularly high priority for the management of Indie Solver. Indie Solver may be contacted at contact@indiesolver.com.

The processing of personal data, such as the name, address, e-mail address of a data subject shall always be in line with the General Data Protection Regulation (GDPR), and in accordance with the country-specific data protection regulations applicable to Indie Solver. By means of this data protection declaration, Indie Solver would like to inform data subjects (“you”) of the nature, scope, and purpose of the personal data we collect, use and process. Furthermore, you are informed, by means of this data protection declaration, of the rights to which you are entitled.

The use of some Internet pages of the Service is possible without any indication of personal data; however, if you want to use special enterprise services via our website, processing of personal data could become necessary. By accessing and visiting the Service, you expressly consent to our collection, use, disclosure, and retention of your information as described in this Privacy Policy. We will update the Privacy Policy periodically and thus you should return to <https://indiesolver.com/privacy.pdf> to familiarize yourself with the current version of the Privacy Policy.

1 Definitions

The data protection declaration of Indie Solver is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). Our data protection declaration should be legible and understandable for the general public, as well as our customers and business partners. To ensure this, we would like to first explain the terminology used.

In this data protection declaration, we use, inter alia, the following terms:

- **Personal data** Personal data means any information relating to an identified or identifiable natural person (“data subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **Data subject** Data subject is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.
- **Processing** Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- **Restriction of processing** Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.
- **Profiling** Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person’s performance

at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

- **Pseudonymisation** Pseudonymisation is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.
- **Controller or controller responsible for the processing** Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
- **Processor** Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- **Recipient** Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.
- **Third party** Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data.
- **Consent** Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2 Name and Address of the controller

Controller for the purposes of the General Data Protection Regulation (GDPR), other data protection laws applicable in Member states of the European Union and other provisions related to data protection is:

Indie Solver, EIRL
75015 Paris
France
Email: contact@indiesolver.com
Website: <https://indiesolver.com>

3 Cookies and Web Beacons; Do Not Track

Indie Solver, along with our third-party service partners, vendors and business partners may use cookies, locally stored objects, and web beacons to automatically collect information about your use of the Service. Cookies are small bits of information that are transferred to and stored in separate files within your computers browser. The Service uses both “persistent cookies” which remain on your computer after you have closed your browser as well as “session cookies” which exist only during a visitors online session and disappear from your computer when you close your browser. Locally stored objects or “flash cookies” are data files that can be created

on your computer by the websites you visit and are a way for websites to store information for later use. Locally stored objects are different than cookies because they are stored in different parts of your computer than cookies. Web beacons are small strings of code that provide a method for delivering a graphic image on a web page or in an email message for the purpose of transferring data. You can set your browser to reject or disable cookies or to notify you when you are sent a cookie. However, if you reject or disable cookies, you may not be able to use all portions or all functionality of the Service.

The Service may include links to other websites and other content from third-party businesses. In addition, you may be able to adjust your browser settings or other settings so that “do not track” requests are sent to the websites and mobile applications that you use. However, Indie Solver will not disable tracking technology that may be active on the Service in response to any “do not track” requests that are sent to the Service.

4 Information Collected By Indie Solver

The website of Indie Solver collects a series of general data and information when a data subject or automated system calls up the website. This general data and information are stored in the server files. We may collect information that you provide to us in connection with your use of the Service.

Indie Solver, along with our third party service partners, vendors, and business partners may automatically collect and use technical data and related information, including, but not limited to, technical information about your device, system and application software, and peripherals, that is gathered periodically to facilitate the provision of software updates, product support and other services to you (if any) related to the Service. Indie Solver may use this information to improve its products or to provide services or technologies to you. You authorize Indie Solver to use this information as described in this Privacy Policy.

If you register for an Indie Solver account, you will be required to provide your email address and will be prompted to create a password. If you do not provide this information, you will not be able to create an account with Indie Solver. You will also need to provide the relevant experimental and result data for your use of the Service, this data will be collected.

This information is needed to (1) deliver the content of our website correctly, (2) optimize the content of our website as well as its advertisement, (3) ensure the long-term viability of our information technology systems and website technology, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack.

5 Registration on our website

You have the possibility to register on Indie Solver website with the indication of personal data. Which personal data are transmitted to the controller is determined by the respective input mask used for the registration. By registering on the website of the controller, the IP address assigned by the Internet service provider (ISP) and used by the data subject, date, and time of the registration are also stored.

6 Subscription to our newsletters

You are given the to subscribe to Indie Solver newsletter. The input mask used for this purpose determines what personal data are transmitted, as well as when the newsletter is ordered from the controller. A confirmation e-mail will be sent to the e-mail address registered by you for the first time for newsletter shipping, for legal reasons, in the double opt-in procedure. It is possible to unsubscribe from the newsletter at any time directly on the website of Indie Solver, or to communicate this request by contacting us at contact@indiesolver.com.

7 Newsletter-Tracking

The newsletter of Indie Solver contains so-called tracking pixels. A tracking pixel is a miniature graphic embedded in such e-mails, which are sent in HTML format to enable log file recording and analysis. This allows a statistical analysis of the success or failure of online marketing campaigns. Based on the embedded tracking pixel, Indie Solver may see if and when an e-mail was opened by a data subject, and which links in the e-mail were called up by you.

Such personal data collected in the tracking pixels contained in the newsletters are stored and analyzed by the controller in order to optimize the shipping of the newsletter, as well as to adapt the content of future newsletters even better to the interests of the data subject.

8 Routine erasure and blocking of personal data

The data controller shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the European legislator or other legislators in laws or regulations to which the controller is subject to.

If the storage purpose is not applicable, or if a storage period prescribed by the European legislator or another competent legislator expires, the personal data are routinely blocked or erased in accordance with legal requirements.

9 How Your Information is Used

Indie Solver may use the personal data collected from you through the Service in order to

- ensure the functioning of the Service and its support,
- adjust the Service to make it work better on your specific problems;
- ensure security of the Service and prevent cyber-attacks;
- prepare and provide relevant material describing novel use cases for the Service.

10 Third Parties

The Service may contain links to websites that are not owned or operated by Indie Solver. Indie Solver is not responsible for the privacy practices of other sites. This Privacy Policy applies solely to information collected by the Service. If you visit these websites or provide any information directly to parties other than Indie Solver (even if those websites display Indie Solver brand), different policies may apply to the collection and use of your information. We encourage you to investigate and ask questions before accessing third-party websites or disclosing information to third parties.

11 Detailed information on the processing of Personal Data

This section describes services used for collection and processing of Personal Data.

11.1 Google Cloud Platform (Google Inc)

Google Cloud Platform, offered by Google, is a suite of cloud computing services that runs on the same infrastructure that Google uses internally for its end-user products, such as Google Search and YouTube.

Indie Solver cloud servers are operated by Google Cloud Platform. Therefore, the latter has at least temporary access to almost all data collected by Indie Solver.

Personal Data collected: Cookies and Usage Data.

Place of processing: US and/or European Union depending on the particular cloud server in use

Privacy Policy: <https://cloud.google.com/security/privacy/>

11.2 Google Analytics (Google Inc)

Google Analytics is a web analysis service provided by Google Inc. Google Analytics utilizes the Data collected to track and examine the use of this Application, to prepare reports on its activities and share them with other Google services. Google may use the Data collected to contextualize and personalize the ads of its own advertising network.

Personal Data collected: Cookies and Usage Data.

Place of processing: US

Privacy Policy: <https://www.google.com/intl/en/policies/privacy/>

Opt Out: <https://tools.google.com/dlpage/gaoptout?hl=en>

11.3 Stripe (Stripe Inc)

Stripe is a payment service provided by Stripe Inc.

Payment processing services enable this Application to process payments by credit card, bank transfer or other means. To ensure greater security, this Application shares only the information necessary to execute the transaction with the financial intermediaries handling the transaction. Some of these services may also enable the sending of timed messages to you, such as emails containing invoices or notifications concerning the payment.

Personal Data collected: various types of Data as specified in the privacy policy of the service.

Place of processing: US

Privacy Policy: <https://stripe.com/terms/US>

12 You rights as the data subject and our obligations as the controller

12.1 Right of confirmation

Each data subject shall have the right granted by the European legislator to obtain from the controller the confirmation as to whether or not personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact any employee of the controller.

12.2 Right of access

Each data subject shall have the right granted by the European legislator to obtain from the controller free information about his or her personal data stored at any time and a copy of this information. Furthermore, the European directives and regulations grant the data subject access to the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;

- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- the existence of the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected from the data subject, any available information as to their source;
- the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

Furthermore, the data subject shall have a right to obtain information as to whether personal data are transferred to a third country or to an international organization. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

If a data subject wishes to avail himself of this right of access, he or she may, at any time, contact any employee of the controller.

12.3 Right to rectification

Each data subject shall have the right granted by the European legislator to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact any employee of the controller.

12.4 Right to erasure (Right to be forgotten)

Each data subject shall have the right granted by the European legislator to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- The data subject withdraws consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing.
- The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.
- The personal data have been unlawfully processed.
- The personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject. The personal data have been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to request the erasure of personal data stored by Indie Solver, he or she may, at any time, contact any employee of the controller. An employee of Indie Solver shall promptly ensure that the erasure request is complied with immediately.

Where the controller has made personal data public and is obliged pursuant to Article 17(1) to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required. An employees of Indie Solver will arrange the necessary measures in individual cases.

12.5 Right of restriction of processing

Each data subject shall have the right granted by the European legislator to obtain from the controller restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
- The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims.
- The data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by Indie Solver, he or she may at any time contact any employee of the controller. The employee of Indie Solver will arrange the restriction of the processing.

12.6 Right to data portability

Each data subject shall have the right granted by the European legislator, to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

In order to assert the right to data portability, the data subject may at any time contact any employee of Indie Solver.

12.7 Right to object

Each data subject shall have the right granted by the European legislator to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

Indie Solver shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defense of legal claims.

If Indie Solver processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to Indie Solver to the processing for direct marketing purposes, Indie Solver will no longer process the personal data for these purposes.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by Indie Solver for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

In order to exercise the right to object, the data subject may contact any employee of Indie Solver. In addition, the data subject is free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use his or her right to object by automated means using technical specifications.

12.8 Right to withdraw data protection consent

Each data subject shall have the right granted by the European legislator to withdraw his or her consent to processing of his or her personal data at any time.

If the data subject wishes to exercise the right to withdraw the consent, he or she may, at any time, contact any employee of Indie Solver.

13 Legal basis for the processing

Art. 6(1) lit. a GDPR serves as the legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is party, as is the case, for example, when processing operations are necessary for the supply of goods or to provide any other service, the processing is based on Article 6(1) lit. b GDPR. The same applies to such processing operations which are necessary for carrying out pre-contractual measures, for example in the case of inquiries concerning our products or services. Is our company subject to a legal obligation by which processing of personal data is required, such as for the fulfillment of tax obligations, the processing is based on Art. 6(1) lit. c GDPR. In rare cases, the processing of personal data may be necessary to protect the vital interests of the data subject or of another natural person. This would be the case, for example, if a visitor were injured in our company and his name, age, health insurance data or other vital information would have to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6(1) lit. d GDPR. Finally, processing operations could be based on Article 6(1) lit. f GDPR. This legal basis is used for processing operations which are not covered by any of the above-mentioned legal grounds, if processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. Such processing operations are particularly permissible because they have

been specifically mentioned by the European legislator. He considered that a legitimate interest could be assumed if the data subject is a client of the controller (Recital 47 Sentence 2 GDPR).

14 Period for which the personal data will be stored

The criteria used to determine the period of storage of personal data is the respective statutory retention period. After expiration of that period, the corresponding data is routinely deleted, as long as it is no longer necessary for the fulfillment of the contract or the initiation of a contract.

15 No Spam, Spyware or Spoofing

Indie Solver and our users do not tolerate spam. To report Indie Solver-related spam or spoof emails to us, please forward the email to contact@indiesolver.com. You may not use our communication tools to send spam.

16 Accessing, Changing and Managing Your Information

You may change and update the information you provide through the Service, or change your preferences concerning how we use your information, as follows:

- **Changing or Updating Your Information.** You can access or change your profile information through your Indie Solver profile page. If you would like your account to be deleted and your data to be deleted from our servers, please contact us at contact@indiesolver.com from your email address. We will ask you for a confirmation to make sure it is you who made the request. After your confirmation, we will delete your data and your account.
- **Email Communications.** From time to time we may email you information about Indie Solver that we think is necessary and important. By opening or maintaining an account with Indie Solver, you agree to receive administrative emails as part of your basic service. You can always opt-out of non-administrative emails.

17 No Use by Children

The Service is not intended for use by children under the age of 18. We will never knowingly collect information directly from children under the age of 18 without verifiable parental consent. If you are under the age of 18, you may not use the Service and please do not provide us with information of any kind whatsoever. If we become aware that a user is under the age of 18 and has submitted information to the Service without verifiable parental consent, we will remove his or her information from our files and deactivate his or her account. If you have reason to believe that we may have accidentally received personal information from a child under the age of 18, please contact us immediately at contact@indiesolver.com.

18 About this Privacy Policy

This Privacy Policy was influenced by the Privacy Policy Generator of the DGD - Your External DPO that was developed in cooperation with German Lawyers from WILDE BEUGER SOLMECKE, Cologne.