

## **PRIVACY POLICY**

### **I. Definitions**

1. Administrator - Xcellence Labs Sp. z o.o. with its registered office at ul. Postępu 21 B, 02-676 Warsaw, VAT ID (NIP): 5213979559, REGON: 522775850, entered into the Register of Entrepreneurs of the National Court Register maintained by the District Court for the Capital City of Warsaw in Warsaw, XIII Commercial Division of the National Court Register under number 0000986301, share capital PLN 6,000.00
2. Personal Data - information about an identified or identifiable natural person through one or several specific factors determining physical, physiological, genetic, mental, economic, cultural or social identity, including device IP, location data, internet identifier and information collected through cookies and other similar technology.
3. Policy - this Privacy Policy.
4. Terms of Service - terms and conditions for providing services electronically through the website <https://xcellencelabs.com/>
5. GDPR - 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.
6. Website - website operated by the Administrator at <https://xcellencelabs.com/>
7. User - any natural person using one or more services or functionalities of the Website.

Terms written with capital letters and not defined in the Policy shall have the meaning assigned to them in the Terms of Service.

### **II. Data Processing in Connection with Website Use**

1. In connection with the User's use of the Website, the Administrator collects data necessary to provide particular offered services, as well as information about the User's activity on the Website. Below are detailed rules and purposes for processing Personal Data collected during the User's use of the Website.
2. Regarding personal data of Users using the Website as Users who are not directly party to agreements concluded between the Service Provider and the Service Recipient, the source of obtaining their data is the Service Recipient, and the scope of personal data includes email address.

### **III. Purposes and Legal Bases for Data Processing on the Website**

1. Personal data of all persons using the Website (including IP address or other identifiers and information collected through cookies or other similar technologies) is processed by the Administrator:
  - a. to provide electronic services in terms of making Website content available to Users - then the legal basis for processing is the necessity of processing for contract performance (Article 6(1)(b) GDPR);
  - b. for analytical and statistical purposes - then the legal basis for processing is the Administrator's legitimate interest (Article 6(1)(f) GDPR), consisting in conducting analyses of Users' activity and preferences to improve functionalities and services provided;
  - c. for potential establishment and pursuit of claims or defense against claims - the legal basis for processing is the Administrator's legitimate interest (Article 6(1)(f) GDPR), consisting in protecting its rights;

- d. for the purpose of fulfilling the legal obligation to prepare and store documentation, the legal basis is Article 6(1)(c) GDPR.
2. The User's activity in the Website, including their Personal Data, is recorded in system logs (a special computer program used to store a chronological record containing information about events and actions concerning the IT system used to provide services by the Administrator). Information collected in logs is processed primarily for purposes related to service provision. The Administrator also processes it for technical and administrative purposes, to ensure IT system security and management, as well as for analytical and statistical purposes - in this regard, the legal basis for processing is the Administrator's legitimate interest (Article 6(1)(f) GDPR).

#### **IV. Cookies and Similar Technology**

1. The Administrator uses cookies mainly to provide electronic services to the User and improve their quality. Therefore, the Administrator and other entities providing analytical and statistical services use cookies by storing information or gaining access to information already stored in the User's telecommunications terminal equipment (computer, phone, tablet, etc.). The use of cookies within the Website is not intended to identify Users. The Policy regulates data processing related to the use of own cookies.
2. Cookies are small text files installed on the User's device browsing the Website. Cookies collect information facilitating the use of the website - e.g., by remembering the User's visits to the Website and actions performed.

#### **Necessary cookies**

3. The Administrator uses necessary cookies primarily to provide Users with Website services and functionalities that the User wants to use. Necessary cookies may be installed only by the Administrator through the Website.
4. The legal basis for data processing in connection with the use of necessary cookies is the necessity for contract performance (Article 6(1)(b) GDPR).

#### **Functional and analytical cookies**

5. Functional cookies are used to remember and adapt the Website to User choices, including language preferences. Functional cookies may be installed by the Administrator and its partners through the Website.
6. Analytical cookies enable obtaining information such as number of visits and traffic sources on the Website. They are used to determine which pages are more or less popular and understand how Users navigate the site by maintaining statistics about Website traffic. Data processing is carried out to improve Website performance. Information collected by these cookies is aggregated and thus not intended to establish your identity. Functional cookies may be installed by the Administrator and its partners through the Website.
7. The legal basis for processing Personal Data in connection with the use of functional and analytical cookies by the Administrator is consent (Article 6(1)(a) GDPR).
8. Processing of Personal Data in connection with the use of functional and analytical cookies is dependent on obtaining User consent for the use of (separately) functional and analytical cookies through the cookie consent management platform. This consent may be withdrawn at any time through this platform.

## **V. Analytical Tools Used by Administrator's Partners**

1. Administrator and its Partners use various solutions and tools for analytical purposes. Below is basic information about these tools. Detailed information can be found in the privacy policy of each partner.

### **GOOGLE ANALYTICS**

Google Analytics cookies are files used by Google to analyze how Users use the Website, to create statistics and reports about Website functioning. Google does not use collected data to identify the User or combine this information to enable identification. Detailed information about the scope and rules of data collection in connection with this service can be found at: <https://www.google.com/intl/pl/policies/privacy/partners>.

### **HOTJAR**

We use the HotJar analytical tool that tracks your behaviors within our websites. For this purpose, cookies from Hotjar Limited are used. Detailed information about the scope and rules of data collection in connection with this service can be found at: <https://help.hotjar.com/hc/en-us/sections/360007966773-Data-Privacy>

## **VI. Cookie Settings Management**

1. The use of cookies to collect data through them, including accessing data stored on the User's device, requires obtaining User consent. In the Website, the Administrator receives consent from the User through the cookie consent management platform. This consent may be withdrawn at any time according to the rules described in point 8.4 below.
2. Consent is not required only for cookies that are necessary to provide telecommunications services (data transmission to display content) - the User cannot opt out of these cookies if they want to use the Website.
3. To receive advertising tailored to User preferences, in addition to consenting to cookie installation through the cookie consent management platform, it is necessary to maintain appropriate browser settings that allow storing cookies from the Website on the User's end device.
4. Withdrawal of consent for collecting cookies on the Website is possible through the cookie consent management platform. The User can return to the banner by clicking the "Manage cookies" button below or a button with identical content available in the footer of each Website subpage.
5. After displaying the banner, the User can withdraw consent by clicking the "COOKIE SETTINGS" button. Then move the slider next to the selected cookie category and press the "SAVE SETTINGS" button.
6. The User also has the option to withdraw consent by changing browser settings.
7. To exercise rights of access, correction, deletion, restriction, portability, objection to personal data processing, file a complaint or ask other questions regarding cookies, please send an inquiry to the Administrator's contact details indicated in the Privacy Policy.

## **VII. Period of Personal Data Processing**

1. The period of data processing by the Administrator depends on the type of service provided and the purpose of processing. In general, data is processed for the duration of service provision, until withdrawal of consent, or until effective objection to data processing in cases where the legal basis for data processing is the Administrator's legitimate interest.

2. The processing period may be extended when processing is necessary to establish and pursue potential claims or defend against claims, and after this time only in cases and to the extent required by law. After the processing period expires, data is irreversibly deleted or anonymized.

#### **VIII. Data subjects' rights**

1. Data subjects have the following rights:
  - a. right to information about personal data processing - on this basis, the Administrator provides the natural person submitting the request with information about data processing, including primarily the purposes and legal bases of processing, scope of possessed data, entities to whom it is disclosed, and planned data deletion date;
  - b. right to obtain a copy of data - on this basis, the Administrator provides a copy of processed data concerning the natural person submitting the request;
  - c. right to rectification - the Administrator is obliged to remove any inconsistencies or errors in processed Personal Data and complete them if they are incomplete;
  - d. right to deletion of data - on this basis, one can request deletion of data whose processing is no longer necessary to achieve any of the purposes for which it was collected;
  - e. right to restriction of processing - if such request is submitted, the Administrator ceases performing operations on Personal Data - except for operations agreed to by the data subject - and their storage, according to adopted retention rules or until the reasons for data processing restriction cease (e.g., a supervisory authority decision allowing further data processing is issued);
  - f. right to data portability - on this basis - to the extent that data is processed automatically in connection with a concluded contract or expressed consent - the Administrator issues data provided by the person it concerns in a format allowing computer data reading. It is also possible to request sending this data to another entity, however, provided that there are technical possibilities in this regard both on the part of the Administrator and the indicated entity;
  - g. right to object to data processing for marketing purposes - if applicable, the data subject may at any time object to Personal Data processing for marketing purposes, without having to justify such objection;
  - h. right to object to other purposes of data processing - the data subject may at any time object - for reasons related to their particular situation - to Personal Data processing based on the Administrator's legitimate interest (e.g., reasons related to property protection); objection in this regard should include justification;
  - i. right to withdraw consent - if data is processed based on expressed consent, the data subject has the right to withdraw it at any time, which however does not affect the lawfulness of processing carried out before its withdrawal;
  - j. right to complaint - if it is determined that Personal Data processing violates GDPR or other Personal Data protection regulations, the data subject may file a complaint with the supervisory authority for Personal Data processing, competent for the data subject's place of habitual residence, place of work, or place of the alleged violation. In Poland, the supervisory authority is the President of the Personal Data Protection Office.

#### **IX. SUBMITTING REQUESTS RELATED TO RIGHTS IMPLEMENTATION**

1. Requests concerning the implementation of data subjects' rights can be submitted:

- a. in writing to the Administrator's address;
  - b. electronically to the email address: [gdpr@xcellencelabs.com](mailto:gdpr@xcellencelabs.com)
2. The request should, if possible, precisely indicate what it concerns, in particular:
    - a. which right the person submitting the request wants to exercise (e.g., right to receive data copy, right to data deletion, etc.);
    - b. which processing operation the request concerns (e.g., use of specific service, activity in specific website, etc.);
    - c. which processing purposes the request concerns (e.g., purposes related to service provision, etc.).
  3. If the Administrator is unable to identify the natural person based on the submitted request, it will ask the applicant for additional information. Providing such data is not mandatory, but failure to provide it will result in refusal to fulfill the request.
  4. The request may be submitted personally or through a proxy (e.g., family member). Due to data security, the Administrator encourages using power of attorney certified by a notary or authorized legal counsel or attorney, which will significantly speed up verification of the request's authenticity.
  5. Response to the submission should be provided within one month of its receipt. If it is necessary to extend this period, the Administrator informs the applicant about the reasons for this action.
  6. If the request was directed to the Administrator electronically, the response is provided in the same form, unless the applicant requested a response in a different form. In other cases, the response is provided in writing. If the deadline for request implementation makes it impossible to provide a response in writing, and the scope of the applicant's data processed by the Administrator enables electronic contact, the response should be provided electronically.

## **X. Data Recipients**

1. In connection with service provision, Personal Data will be disclosed to external entities, including in particular suppliers responsible for IT systems maintenance, entities providing accounting services (in the scope of accounting and bookkeeping services), and entities affiliated with the Administrator.
2. The Administrator reserves the right to disclose selected information about the User to appropriate authorities or third parties who submit a request for such information, based on an appropriate legal basis and in accordance with applicable law.

## **XI. Data Transfer Outside the EEA**

1. The level of Personal Data protection outside the European Economic Area (EEA) differs from that provided by European law. For this reason, the Administrator transfers Personal Data outside the EEA only when necessary and with ensuring an adequate level of protection, primarily through:
  - a. cooperation with entities processing Personal Data in countries for which a relevant European Commission decision has been issued regarding the determination of ensuring an adequate level of Personal Data protection;
  - b. using standard contractual clauses issued by the European Commission; together with required additional security measures, they provide Personal Data with the same protection as they enjoy in the European Union;
  - c. using binding corporate rules approved by the competent supervisory authority.

2. The Administrator always informs about the intention to transfer Personal Data outside the EEA at the stage of their collection.

## **XII. Personal Data Security**

1. The Administrator continuously conducts risk analysis to ensure that Personal Data is processed by it securely - ensuring primarily that only authorized persons have access to the data and only to the extent necessary due to their tasks. The Administrator ensures that all operations on Personal Data are registered and made only by authorized employees and collaborators.
2. The Administrator takes all necessary actions to ensure that its subcontractors and other cooperating entities guarantee the application of appropriate security measures in each case when they process Personal Data on behalf of the Administrator.

## **XIII. Contact Details**

1. Contact with the Administrator is possible via email ***gdpr@excellencelabs.com*** or correspondence address: Xcellence Labs Sp. z o.o., ul. Postępu 21 B, 02-676 Warsaw

## **XIV. Privacy Policy Changes**

1. The Policy is regularly verified and updated as needed.
2. The current version of the Policy was adopted and is effective from 14<sup>th</sup> January 2025.