

Privacy Policy
Information Memorandum

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1 Privacy Policy

Our company, **Webout You s.r.o.**, headquartered at Tusarova 791/31, Holešovice, 170 00 Praha 7, Company ID: 11659467, registered in the Commercial Register kept by the Municipal Court in Prague under file no. C 352457, has established these policies to define the rules we follow to safeguard your personal data and ensure your privacy while preventing any misuse of your information. We will follow these policies for as long as we are processing any of your personal data.

The data processing practices outlined in this policy comply with the obligations set out by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons regarding the processing of personal data and the free movement of such data, and repealing Directive 95/46/EC – the General Data Protection Regulation (hereinafter referred to as “GDPR”).

Through this policy, we also inform you of the rights and facts you need to be aware of under GDPR, ensuring that our data processing is as transparent and open as possible.

This document outlines the procedures and principles by which we will process and manage your personal data. If you have any questions or if anything is unclear, feel free to contact us using the details provided below.

These policies also apply when processing your likeness for use in our Webout You application, where we capture your image and place it in a video created by our partner (hereinafter referred to as the “Application”). If you choose, you can then share this video on your social media platforms.

2 Collection of Personal Data

2.1 Reasons for Collecting Personal Data

We will collect and process your personal data only when it is necessary for the following purposes:

- a) The use of the Application and sharing the results generated by the Application.
- b) Providing the services you wish to use.
- c) Complying with legal obligations.
- d) Protecting your vital interests.
- e) Pursuing our legitimate interests, provided that these do not override your interests or fundamental rights and freedoms that require the protection of personal data.

2.2 Direct Marketing Communications

One of our legitimate interests may include processing your personal data for direct marketing purposes, such as sending you commercial communications. This means that if you have previously purchased goods or used services from us, we may occasionally send you offers for similar products that might interest you. However, you can opt out of receiving these communications at any time by clicking the unsubscribe link in the commercial communication or by contacting us at the email address provided below, and we will stop sending you such communications.

2.3 Consent

In other cases, we may collect and process your personal data only with your explicit and voluntary consent. You may withdraw your consent at any time by using the contact information provided in this policy. The specific terms for using your personal data under your consent will always be outlined in each individual consent form.

2.4 Obtaining Personal Data

We do not obtain your personal data from publicly accessible sources; we always collect it directly from you or from third parties who work with us and have legally acquired your personal data and are authorized to share it with us. Regardless of how we obtain your personal data, we will always comply with these policies and applicable law.

We collect your likeness and contact details through the Application when your likeness is captured and incorporated into a video of our partner.

Other personal data may be explicitly requested from you, or we may collect it when you register for our services, enter into a contract with us, or use a service. You may also provide personal data through actions such as filling out forms on our website or by communicating with us via phone, email, online chats, or other means. Some of your personal data is collected automatically, with your consent, such as through the use of cookies when you visit our website.

We will always inform you of the specific purpose for processing your personal data in each instance. This information will either be included directly in the contract, in the terms of service, or in this policy. Alternatively, you can always inquire about the reasons for processing your personal data using the contact details provided below.

3 Use of Your Personal Data

Your personal data (specifically your likeness) is primarily used to create videos within the Application. If you choose to share these videos on your social media, we process this personal data on our server to facilitate the sharing.

We primarily use your personal data to provide our services, enter into the requested contract, fulfill the agreed contract, comply with legal obligations, notify you of changes to our services, improve our services, or enhance your customer experience. With your consent, we may also use this information to inform you about other services and products offered by us or selected third parties that may interest you or benefit you. We will always inform you of any further use of your personal data.

4 Sharing Your Personal Data with Third Parties

4.1 Sharing Personal Data

We will not disclose your personal data to anyone except in the cases described in this policy.

Your personal data will be accessible to employees of our company who are authorized to handle such data. All employees with access to your personal data are bound by a confidentiality agreement, which prohibits them from sharing your personal data in any form. These carefully selected employees are informed about our internal data protection policies and receive proper training on how to handle your personal data and the conditions under which they may process it. This ensures we provide the highest level of protection for your personal data.

We will share your personal data with certain third parties, if necessary. These third parties are referred to as data processors. Our company is responsible for ensuring that these processors implement appropriate safeguards for handling your personal data. We carefully select all processors, and they are contractually obligated to meet data protection requirements, ensuring that your personal data is sufficiently protected and minimizing the risk of misuse.

The personal data obtained through the Application, which you choose to share, may be transmitted to the operators of the social networks you select.

4.2 Third Parties to Whom Personal Data May Be Disclosed

Below are the categories of individuals or entities to whom we may disclose your personal data and who may gain access to your personal data:

Category of Recipients	Purpose of Data Disclosure
IT Service Providers	IT management and user application administration.
Website Administrators	Website management.
Online Tool Providers	Using these tools to improve the quality of our services and enhance your customer experience.
Server Operators	Server operation.
Subcontractors	Providing subcontracted services for the requested service.
Auditors	Conducting audits.
Social Media Operators	Sharing videos from the Application on the social networks you select.

With your consent, we may also share some information with selected third parties to inform you about services and products offered by us or by selected third parties that may be of interest to you.

We may also share your personal data with other third parties to prevent criminal activity and mitigate risks, if required by law or where we deem it appropriate, in response to legal proceedings, or to protect the rights or property of our company, our partners, or yourself.

4.3 Transfers Outside the EU

Your personal data will not be transferred to countries outside the European Union or to international organizations, except in cases where such transfers are necessary for improved data backup and protection purposes or in situations explicitly stated in these policies or in your consent.

5 Automated Individual Decision-Making and Profiling

Our company does not engage in any automated individual decision-making or profiling that would have legal effects on you or otherwise significantly impact you when processing your personal data. Should this change, we will promptly inform you.

6 Duration of Personal Data Processing

We process your personal data only for the time necessary. Once your personal data is no longer required for processing purposes, we will promptly delete it.

If we process your personal data based on consent, the duration of processing will be specified in that consent.

If we process your personal data due to legal requirements, we will process it for as long as the law requires. If the law mandates the archiving of certain data, we will archive your personal data in accordance with the legal requirements for the required duration.

If we process your personal data due to the conclusion of a contract or the provision of a service, we will process it for the duration of that contract or service and for an additional 10 years after its conclusion. During this time, we will process your personal data only for the purpose of defending against potential legal claims or conducting legal proceedings. The 10-year period corresponds to the maximum limitation period within which claims can be enforced in court. In the event of the initiation of legal or other proceedings requiring your personal data, we will continue to process it for the entire duration of such proceedings, including any enforcement or related proceedings.

7 Your Rights

7.1 Right to Information

You can contact us at any time to request confirmation on whether we are processing your personal data, using the contact details provided below. If we are processing your personal data, you have the right to access the following information:

- a) The purpose for which we are processing your personal data and the categories of data being processed.
- b) The recipients and processors of your personal data, if applicable.
- c) The duration for which your personal data will be stored, or if it is not possible to determine this, the criteria used to set this period.
- d) Which of your personal data you can request to be erased or have its processing restricted, and your right to object to such processing.
- e) Your right to lodge a complaint with a supervisory authority.
- f) The source of the personal data if it was not obtained directly from you.
- g) Whether any automated individual decision-making or profiling is being conducted.

If you request it, we will provide you with a copy of your personal data that we are processing. If you request additional copies, we may charge a fee based on the costs incurred. If you request the information electronically, the copy will be provided in electronic form unless you request otherwise. However, we have the right to ask you to verify your identity to ensure that the information related to your personal data is not disclosed to an unauthorized person.

We will attempt to provide the information as quickly as possible, depending on the scope of your request, but no later than 30 days.

7.2 Right to Rectification

If you discover that any of your personal data is inaccurate, incorrect, or incomplete, you have the right to request that we correct or complete your personal data without undue delay once you notify us.

7.3 Right to Be Forgotten – Right to Erasure

You have the right to request that we erase your personal data without undue delay if:

- a) Your personal data is no longer necessary for the purposes for which it was collected.
- b) You withdraw your consent.
- c) You object to the processing.
- d) We have processed your personal data unlawfully.
- e) Erasure is required to comply with a legal obligation under the law.
- f) The personal data was collected in relation to the offer of information society services.

However, we will not erase your personal data for the above reasons if any of the exceptions outlined in Article 17(3) of the GDPR apply.

If your personal data has been made public or transferred to third parties, we will also ensure that this personal data is erased, where technically feasible and practicable.

7.4 Right to Restriction of Processing

You have the right to request that we restrict the processing of your personal data if:

- a) You inform us that your personal data is inaccurate, and we will restrict the processing of your personal data while we verify its accuracy.
- b) We have processed your personal data unlawfully, but instead of requesting erasure, you request the restriction of its use.
- c) We no longer need your personal data, but you require it to establish, exercise, or defend legal claims.
- d) You have objected to the processing, and we are verifying whether the objection is justified.

During the period of restriction, your personal data will only be stored and may be processed solely based on your consent, for establishing, exercising, or defending legal claims, or for reasons of public interest.

7.5 Right to Object

You have the right to object to the processing of your personal data if we are processing it for direct marketing purposes. The objection must be sent to us in writing or via the email provided below. If you object to processing for direct marketing purposes, we will no longer process your personal data for this purpose unless we demonstrate compelling legitimate grounds for the processing that override your interests, rights, and freedoms, or for the establishment, exercise, or defense of legal claims.

7.6 Right to Data Portability

Upon your request, we will provide you with your personal data in a structured, commonly used, and machine-readable format so you can transfer it to another controller. Additionally, if technically feasible, you may request that we directly transfer your personal data to a controller you designate.

7.7 Right to File a Complaint

You can file a complaint at any time regarding the processing of your personal data or our failure to meet our GDPR obligations with the supervisory authority. The supervisory authority in the Czech Republic is the Office for Personal Data Protection, located at Pplk. Sochora 27, 170 00 Prague 7, www.uoou.cz.

8 Implemented Measures

Our company has implemented personnel, organizational, and technical measures to eliminate various risks to your rights, freedoms, and the protection of your personal data. To this end, we have trained all employees who come into contact with personal data. All physical copies of personal data, as well as electronically stored data, are secured against unauthorized access in accordance with applicable security standards. We have also conducted a risk analysis to identify and minimize potential risks and have taken the necessary steps to mitigate them.

9 Contact Information

For any requests, inquiries, comments, or clarifications, you can contact us via email at hello@webout.me or in writing at the address of our registered office.

10 Conclusion

These policies were adopted on October 31, 2022. Our company may update these policies as long as the changes remain in compliance with the law and GDPR. We will notify you in advance of any changes to these policies on our website.