OROUNDO MOBILE APPLICATION AND OROUNDO WEBSITE

DATA PRIVACY DECLARATION

Effective since: [insert time of effectiveness]2017

Oroundo Mobile GmbH, Gölsdorfgasse 4/5a, 1010 Wien (“**Oroundo”** or “**We”**) respects your private sphere. This data privacy declaration is applicable to Oroundo Mobile Application (**Oroundo App**) and the use of Oroundo website (jointly “**Oroundo Services”**). It describes the various types of personal data we collect along with Oroundo Services and the purposes for which we collect personal data and the third parties, with whom we exchange the data. Furthermore, you shall be informed about your rights with regard to your personal data as well as about the option of reaching us.

Oroundo shall be responsible for collecting and using your personal data along with Oroundo Services. If you log into the Oroundo App, you must accept the terms of use and data privacy declaration.

1. PERSONAL DATA

Personal data refers to all information about an identified or identifiable natural person. If you wish to use Oroundo services, we gather your personal data.

Your personal data is used in accordance with the terms of use. In a few cases, you cannot claim benefits of specific services, if you do not provide your personal data.

1. **Data which is necessary for contract performance or which we gather with your consent**

We gather following personal data for contract performance (in case of application forms or for processing your request) and/or with your consent:

* Name (first name and surname),
* Information about you (which you yourself can enter in the row “About Me”)
* Sex,
* Birth-date,
* Telephone number,
* Email address,
* Organization,
* Your hometown,
* Your address,
* Billing address,
* Username,
* Password,
* Responses to our security questions,
* Information acquired through your participation in a “Survey”: Country of origin, destination country, mother tongue, age, average expenditure during holiday, rating of Oroundo Service.

1. **Data which we have received from a third party (e.g. any museum which you have visited)**

We acquire the following data from a third party (who forward us this data): debit card data, credit card information, data about purchase transactions (article descriptions, quantity, price and subtotal, currency, amount, date and time of order).

1. **Data which we gather automatically**

We could gather following data using automatic means – which implies cookies and web beacons. A “Cookie” is a text file, which is saved on your computer. A “Web beacon”, also called as Internet tag, Pixel tag or Clear-gif, is used for return transmission of information to web server. We gather the following data automatically:

* IP address,
* IP address of mobile device,
* GPS coordinates
* a distinct ID of the mobile device,
* browser type and the setting data (screen resolution, color depth, time zone settings, browser enhancements and PlugIns, fonts) and
* operating system.

This data is used for creating a motion profile and a distinct fingerprint of the browser. Please note that the GPS coordinates are data, which we require for providing our services (information about tourist spots close to you). If you reject the collection of this data in your browser settings, then you will not be able to use all services of Oroundo.

For other data categories, which we use for collection and fingerprint creation, we provide our users the option to opt-out using our Cookie Consent Tool. More information about how you can change your browser settings is available in the Cookie Policy [Link to Cookie Policy].

1. Connection to social media accounts

Please note that you can also log into Oroundo App using your Social Media Account (Facebook). In this case, your user data (i.e. Name, email address, password) shall be linked to the public profile data. Hence, please also see the data privacy declaration of the Social Media Account, to which you have linked your Oroundo profile in order to know more about the privacy practices of that company.

1. How do we use the collected personal data

We use the data specified in point 1 for the following purposes:

1. Performance of contract

We process your data for the **performance of contract** concluded by you or for implementing pre-contractual measures which are carried out upon your request. This includes the following cases:

* Customer requests: Send us a customer request and we shall process the data for reply.
* Provision of a purchased Oroundo service: If you buy more of Oroundo service, we process your personal data in order to provide you the service.
* Use of Oroundo Services: Please note that the GPS coordinates (refer to point 1.3) are data which we require for providing our services (information about a tourist spot or pieces of art, which are close to you). If you reject the collection of this data in your browser settings, then you will not be able to use all services of Oroundo.

1. Consent for profiling purposes and consequences of withdrawal of consent

We process your location specific data (residence and GPS coordinates), also for **profiling purposes** (this refers to an automatic data processing, which is done in order to evaluate your personal cultural interests to provide you corresponding information, and to customize our offer in a better manner to cater to your needs) if you have given your **consent** to it.

By clicking the checkbox in registration process of Oroundo App, we shall agree that your location-specific data (residence and GPS coordinates) is used for the purpose of creating a “**Cultural Footprint**” and connecting with other users. This data can be forwarded to [specify recipient with company name and address if the data is forwarded]. In order to deactivate profiling, go to your “Personal settings“ page in your Oroundo Online Account and simply log off from there. Or click here [insert URL for logging off from the automatic data processing activity].

From this moment onwards, we shall handle as per your wishes. In a few cases, the withdrawal of your consent to our use or forwarding of your personal data shall imply that you cannot claim the benefits of certain services.

1. Consent for newsletter and consequences of withdrawal of consent

For sending the newsletter, we use the email address specified by you and require your confirmation that you, as the holder of email address have agreed to the receiving of newsletter.

By clicking the checkbox in the registration process of Oroundo App, you agree that your name and email address is forwarded for sending promotional emails for [the company’s own product or service should be specified here] and to [specify forwarding recipient with company name and address if forwarding is done] for sending information about [products, services, opening of exhibitions, etc. of partners should be specified here]. This consent can be withdrawn at any point of time via email to [insert email address] or by clicking on the “Unsubscribe” link in our emails.

1. DATA TRANSFERS

We transfer the data defined in point 1 to our partners: This data can be about museums, tour operators and cities. Here is a complete list of Partners.

We also use data processing companies that carry out the services upon our order. The data processing companies may use or reveal the data only according to our instructions and only to the extent which is necessary for performing the services for us or for adhering to legal regulations. We impose a contractual obligation upon the data processing companies to guarantee confidentiality and security of personal data, which they are processing for our order. Currently, we are using services of Digital Ocean LLC, LLC, New York, 101 Avenue of The America, New York, New York 10013, USA only. DigitalOcean LLC, is a certified EU-US Privacy Shield.

1. [Your](#_4._Your_Rights) rights

You shall be entitled to claim **information** about the data saved by us. During the one-month period, which can be extended to up to two months, you have the right to (i) receive a confirmation where the respective personal data is processed, (ii) to get information about data processing and (iii) a copy of processed personal data.

You also have the right to **rectify** your data, if it is incorrect or incomplete.

You have the right to **delete** your personal data if the processing violates valid data protection laws, especially because you have withdrawn your consent given earlier or have legitimately submitted a withdrawal.

We save your data specified in point 1 for the duration of your contractual relationship with Oroundo.

Furthermore, you have the right to submit **withdrawal** to Oroundo if the legal base of data processing is not a justifiable public interest and Oroundo cannot prove that its interests outweigh yours.

You also have the right to **complain** to the data protection authorities.

From 25.5.2018 onwards, you have the following additional rights according to General Data Protection regulation (“**DSGVO”**):

You have the right that your personal data is excluded from further processing, if you exercise your right of correction or withdrawal and Oroundo has as yet not decided anything in this regard (**right to limit processing**).

You have the **right to data portability**, i.e. to receive and obtain the data related to you in a structured, common, machine-readable format as well as, that the data is forwarded directly by Oroundo to other responsible persons specified by you, if the prerequisites of Art. 20 DSGVO are fulfilled.

Please contact us, as described in paragraph “Contact us“ to request access to your data or to exercise any other rights.

1. PROFILING

You yourself can enhance your Oroundo profile in the App as you like. Some services in Oroundo App need a login, some services don’t (for example, the basic service “Audio-guide” does not necessarily require a login). But if you use our special features (e.g. Cultural Tripplanner), we request a login. You can also login using your Facebook account. In such a case, we shall use any information, which is available through your login to your Facebook account.

Using this information, we create a “**Cultural Footprint**” of every user who has logged in with us. With this tool, we collect information about the places you like to go to (e.g. a museum or a city), the duration of your stay there and the tourist spots, pictures, etc., of your interest. The average duration of stay is crucial as we use it for “smart recommendations”. “Smart recommendations” are recommendations to our partners as to what steps they can take in order to make their offer more lucrative for you. This ensures a seamless commerce experience, for example: A user goes to a contemporary art museum in three different cities. Thus, the user is interested in contemporary art.

Based on your activities and preferences, Oroundo offers you the option to connect with other users having same user behavior. This proves beneficial as you can communicate and share with other persons having same interests as you.

1. Storage of data

For storing your personal data, we use the services of Digital Ocean LLC, LLC, New York, 101 Avenue of The America, New York, New York 10013, USA.

Data shall be stored with us only as long as it is necessary for data processing. We and DigitalOcean shall implement measures to delete and permanently anonymize personal data if it is no longer required. This is done if you delete the content in the App as a user or withdraw your consent for the use of your personal data for profiling purposes and for sending newsletter.

1. Features and links to other websites

For practical reasons or for your information, our website may contain features, for which we are working in collaboration with other companies, and links to other websites. These features, which may comprise social networking and graphical tools, as well as links to other websites can be operated independent of Oroundo. Separate data privacy directions and guidelines shall be applicable to these; we therefore strongly recommend that you check them if you visit these websites. If these features and linked websites which you visit, are not owned or controlled by Oroundo, then we shall not be responsible for the content of these websites, their usage or their data privacy practices.

1. Contact us

If you have comments or queries regarding data privacy declaration, or if you wish to exercise you rights, please click here[insert URL].

You can also contact us via mail or telephone:

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