

DATA PROTECTION DECLARATION CULTURAL PLACES WEB & APP PLATFORM

Effective since: 15.03.2021

Oroundo Mobile GmbH, Gölsdorfstraße 4/5a, 1010 Vienna (“**Oroundo**” or “**We**”) respects your privacy. This privacy policy applies to Oroundo Mobile web platform “Cultural Places” (“**CP Web Platform**”) and the use of Oroundo websites (jointly referred to as “**Oroundo Services**”). It describes the types of personal data we collect in connection with the Oroundo Services and the purposes for which we collect the personal data and the third parties with whom we exchange the data. In addition, you will be informed of your rights regarding your personal data and of how you can contact us.

Oroundo is responsible for collecting and using your personal data in connection with Oroundo services. When you log into the Cultural Places App, you must accept the Terms of Use and Privacy Policy.

1. PERSONAL DATA

By personal data we refer to all information relating to an identified or identifiable natural person. When you use Oroundo services, we collect personal data.

Your personal data will be used in accordance with the [terms of use](#). In some cases, you will not be able to take advantage of certain services if you do not provide your personal information.

1.1. Data which is necessary for the fulfilment of the contract or which we collect with your consent

We collect and process the following personal data only if data processing is necessary for performance of the contract concluded with you (Art. 6 (1) (b) GDPR), if you have given your consent to processing of data concerning you for specific purposes (Art. 6 (1) (a) GDPR) or if we are under a statutory obligation to do so Art. 6 (1) (c) GDPR. In addition, we have a legitimate interest in the processing of personal data as defined in Art 6 (1) (f) GDPR (enhancing business and/or customer relationships, direct marketing):

- Name (first and last name),
- Information about you (which you can enter in the line “About Me”),
- Gender,
- Date of birth,
- Telephone number,
- E-mail address,
- Organisation,
- Your hometown,
- Your address,
- Billing address,
- User name,
- Password,
- Answers to our security questions,
- Information resulting from your participation in a “survey”: Country of origin, country of destination, mother tongue, age, average expenses during holidays, reviews of Oroundo service.

1.2. Data that we receive from third parties

We use the following data from third parties (who transmit this data to us): Customer card details, credit card information, purchase transaction data (item names, quantity, price and subtotal, currency, amount, date and time of order).

1.3. Data that we automatically collect

We may collect the following data using automatic means - i.e. cookies and web beacons. A “cookie” is a text file, which is stored on your computer. A “web beacon”, also termed as internet tag, pixel tag or clear-gif, is used to return information to the web server. We collect the following data automatically:

- IP address,
- IP address of the mobile device,
- GPS coordinates a unique identification of the mobile device,
- Browser type and settings data (screen resolution, colour depth, time zone settings, browser extensions and plug-ins, fonts) and
- operating system.

This data is used to generate movement profile and a unique browser fingerprint. Please note that the GPS coordinates are data that we need to provide our services (information about the attraction in the vicinity of which you are located). If you refuse to collect this data in your browser settings, you will not be able to use all Oroundo services.

Regarding the other data categories that we use to collect and generate digital fingerprints, we offer our users the option to find the entire information in the Privacy & Cookie Policy on our website (www.culturalplaces.com).

2. LINK TO SOCIAL MEDIA ACCOUNTS

We would like to point out that you can also register for the Cultural Places App via your social media account (Facebook, Google). In this case, your user data (i.e. name, e-mail address, password) is linked to public profile data. Please also refer to the privacy policy of your social media account, with which you have linked your Cultural Places profile, to learn more about the privacy practices of these companies.

3. HOW WE USE THE PERSONAL DATA COLLECTED

We process your data for the **fulfilment of the contract** to which you are a contracting party or for the implementation of pre-contractual measures that have been taken on the basis of your request. These are the following cases:

- Customer requests: You send us a customer request and we process the data to answer it.
- Provision of a purchased Oroundo service: When you purchase an Oroundo service, we process your personal data to provide you with the service.
- Use of Oroundo services: Please note that the GPS coordinates (see point 1.3) are data that we need to provide our services (information about the attraction or work of art in the vicinity of which you are located). If you refuse to collect this data in your settings, you will not be able to use all Oroundo services.

4. DATA TRANSMISSION

To fulfil our contractual duties it may be necessary to transfer your data to third parties (e.g. insurance companies, service providers whom we engage and to whom we provide data, ticketing clients etc.) or public authorities. Your data will be forwarded exclusively on the basis of the GDPR, in particular for fulfilling duties under the contractual relationship or on the basis of your prior consent.

Some of the recipients of your personal data stated above are located or process your personal data outside of your country. The data protection standard in other countries may not be the same as the one in Austria. We will, however, transfer your personal data only to countries for which the European Commission has decided that they offer an adequate level of data protection; if this is not the case, we will take measures to ensure that all recipients offer an adequate level of data protection, for which purpose we conclude standard contractual clauses (2010/87/EU and/or 2004/915/EC)

By default, we do not share your personal data except in the scenarios listed below.

For donations made through #HelpingWithCulturalPlaces project with our Partner "Volkshilfe Solidarität", we share Personal Information such as your name, billing address, and e-mail address. We share information about your donation, including the amount of your donation. Please note that any donations made to "Volkshilfe Solidarität" are also subject to "Volkshilfe Solidarität" privacy policy. "Volkshilfe Solidarität" complete privacy policy is accessible at <https://www.volkshilfe.at/datenschutzerklaerung/>.

We do not sell your personal data to any third parties - it is used only for the purposes listed in this Privacy Policy.

Our Partners:

Volkshilfe Solidarität, Auerspergstraße 4, A-1010 Wien, Tel.: +43 (1) 402 62 09, office@volkshilfe.at, ZVR 767780029

We also use data processing companies who perform services on our behalf. Data processing companies may use or disclose this data only in accordance with our instructions and to the extent necessary to perform services for us or to comply with legal regulations. We contractually oblige these data processing companies to ensure the confidentiality and security of the personal data they process on our behalf. Currently, we use the services from:

- **Digital Ocean** LLC, LLC, New York, 101 Avenue of The America, New York, New York 10013, USA.
- **Google** LLC, Google Data Protection Office, 1600 Amphitheatre Pkwy, Mountain View, California 94043.
- The Rocket Science Group LLC d/b/a **Mailchimp**, 675 Ponce de Leon Ave NE, Suite 5000 Atlanta, GA 30308 USA.
- **One Signal** Inc., 411 Borel Ave Suite 512, San Mateo, CA 94402. Data is transmitted and processed in the U.S. due to technical and operational necessities under warranty of high-level data protection standards by contract approved by the E.U. meeting GDPR-qualities.
- **PayPal** Inc., 2211 North First Street, San Jose, California 95131. Data is transmitted and processed in the U.S. due to technical and operational necessities under warranty of high-level data protection standards by contract approved by the E.U. meeting GDPR-qualities.
- **Stripe** Inc., 510 Townsend Street, San Francisco, CA 94103, USA.
- **Klarna GmbH**, Theresienhöhe 12, 80339 Munich, Germany.

5. YOUR RIGHTS

5.1. Right to withdraw consents given under data protection law (Art 7 (3) GDPR)

You may withdraw your consents at any time. The lawfulness of processing done up to the time of withdrawal shall not be affected by withdrawing consent. You will be informed of this before you give your consent.

5.2. Right of access (Art. 15 GDPR)

You have the right to obtain information on the personal data that we process concerning yourself. In addition you have the right to ask for a copy of the data if we process data concerning yourself.

When you request access we will inform you, inter alia, about the purposes of processing and the categories of personal data that will be processed.

5.3. Right to rectification (Art. 16 GDPR)

You may ask us to rectify inaccurate data without delay. In compliance with the purposes of processing you also have the right to request completion of incomplete personal data.

5.4. Right to erasure (Art. 17 GDPR)

You have the right to have us delete data without delay where one of the following reasons applies:

- the data is no longer necessary for to the purposes for which it was collected or processing in any other way.
- you withdraw your consent, on which the processing was based, and there is no other legal basis for processing.
- you object to the processing on grounds relating to your particular situation as defined in Art 21 (1) GDPR and there are no prevailing legitimate reasons for processing.
- you object to processing for direct marketing pursuant to Art 21 (2) GDPR.
- data is being processed unlawfully.
- erasure of data is necessary for fulfilment of a legal obligation.

5.5. Right to restriction of processing (Art. 18 GDPR)

Pursuant to Art 18 GDPR we may process data only in a restricted manner in the following cases. This applies in the case where:

- you contest the accuracy of your data, until we are able to verify the accuracy;
- processing is unlawful and you oppose erasure of your data and instead request restriction of the use of the personal data.
- we no longer need the data for the purposes of processing, however we need the data for the establishment, exercise or defence of legal claims, or
- you object to processing pursuant to Art 21 (1) GDPR on grounds relating to your particular situation, for as long as it is yet to be determined whether the legitimate grounds for processing by us outweigh your interests.

If processing has been restricted, we may only store that data. Any other processing is only permissible with your consent or for the establishment, exercise or defence of legal claims or to protect the rights of another natural or a legal person or on grounds of an important public interest of the European Union or a Member State. You may withdraw your consent given in this connection at any time. We will inform you before the restriction is lifted.

5.6. Notification obligation (Art 19 GDPR)

We are obliged to communicate any rectification or erasure of your data or a restriction of processing to all recipients to whom your data has been disclosed. This does not apply if it

proves impossible or involves disproportionate effort. We will inform you of those recipients upon request.

5.7. Right to data portability (Art. 20 GDPR)

You have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format. In addition, you have the right to request that we transmit this data to a third party, provided that

- the processing of the data is based on your consent or on a contract and
- the processing is carried out by automated means.

In this connection you may request that we transmit your data directly to the third parties, where technically feasible.

5.8. Right to object (Art 21 GDPR)

Where we process your data on the basis of a legitimate interest (Art 6 (1) (f) GDPR), you have the right to object. In that case we will no longer process the personal data unless we are able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Where we process your data for direct marketing purposes, you have the right to object to processing of the data. Following your objection your data will no longer be processed for such purposes.

5.9. Right to lodge a complaint with a supervisory authority (Art 77 GDPR)

If you believe that processing of your personal data by us infringes applicable data protection law or that your claims under data protection law have been infringed in any other way, you may lodge a complaint with the competent supervisory authority. In Austria the competent authority is the Austrian Data Protection Authority, Barichgasse 40-42, 1030 Wien [Datenschutzbehörde].

6. STORAGE OF DATA – DATA SECURITY

Your personal data is protected through appropriate technical and organisational measures. Those measures include but are not limited to protection against unauthorised, unlawful or accidental access and against processing, loss, use and tampering.

Irrespective of our efforts to observe an appropriately high standard of due diligence at all times it cannot be excluded that information which you have provided to us via the internet will be inspected and used by other persons.

Please note that we therefore assume no liability whatsoever for any disclosure of information due to errors in data transfers that were not caused by us and/or unauthorised access by third parties (e.g. a hacker attack on email account or phone, interception of fax messages). In the case of a data breach affecting your personal data despite all security measures taken we shall immediately communicate such data breach to you and notify the competent supervisory authority.

To store 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.

We and DigitalOcean take measures to destroy personal data or to make it permanently anonymous if it is no longer needed. This is the case if you as a user delete content within the app or revoke your consent to the use of your personal data.

7. RETENTION OF DATA

We will not retain data longer than necessary to fulfil our contractual and/or legal obligations or to defend us against any liability claims that may arise.

8. FEATURES AND LINKS TO OTHER WEBSITES

For practical reasons or for your information, our websites may contain features for which we work with other companies and links to other websites. These features, which can include social networking and geographical tools, as well as links to other websites, can be operated independently of Oroundo. These may have their own privacy notices or policies; thus, we strongly recommend that you check them when you visit them. Insofar as these features and linked websites that you visit are not owned or controlled by Oroundo, we are not responsible for the content of the sites, their use or their data protection practices.

9. HOW TO CONTACT US

If you have any questions or comments about this privacy policy, or if you wish to exercise your rights, please contact us in written form:

Your contact person for data protection is:

Mr. Patrick Tomelitsch
Oroundo Mobile GmbH
Gölsdorfsgasse 4/5a, 1010 Vienna
E-Mail: tomelitsch@oroundo.com