

DIDXL PRIVACY AND GDPR POLICY

Last updated 7 September 2020 (minor spelling mistakes)

This is the privacy and GDPR notice of **DIDXL SP. z o.o.** referred to in this document as "didXL", "we", "our", or "us

didXL is registered in Poland, with company/KRS number 0000282892. With registered office **ul. Okopowa 56, lok. 49, 01-042 Warsaw, Poland**

1. Synopsis

This is a notice to inform you of our policy about all information that we record about you. It sets out the conditions under which we may process any information that we collect from you, or that you provide to us. It covers information that could identify you ("personal information") and information that could not. In the context of the law and this notice, "process" means collect, store, transfer, use or otherwise act on information.

- i. We regret that if there is any information in this Privacy and GDPR Notice with which you disagree, your only recourse is to leave our website immediately.
- ii. We take the protection of your privacy and confidentiality seriously. We understand that all visitors to our website are entitled to know that their personal data will not be used for any purpose unintended by them, and will not accidentally fall into the hands of a third party.
- iii. We undertake to preserve the confidentiality of all information you provide to us.
- iv. Our Privacy and GDPR Notice complies with Polish law accordingly implemented, including that required by the EU General Data Protection Regulation (GDPR).
- v. The law requires us to tell you about your rights and our obligations to you regarding the processing and control of your personal data. To comply with this law, we therefore request that you read the information provided at www.knowyourprivacyrights.org.
- vi. Except as set out below, we do not share, sell, or disclose to a third party, any information collected through our website.

2. Personal information processing

When you	Information collected	Reason	Basis
Visit our website	Cookies Beacons Browser related data	to improve the browsing experience to accommodate the design of our website to enable you to sign in to your account when you register	Consent
Register and create an account	Name and surname	to create a user account for you	Contract by accepting our terms and agreements
	Address	to enable us to contact you regarding the management of your account	
	Phone number		Consent
	IP address	to send you news and information regarding our products and services	
	VAT ID or Tax ID		
Verify your account details	Proof of address (usually a recent utility bill) Passport or photo ID copy Copy of company registration	to verify your identity	Contract
Register and create profile (for the end user)	Same as with create and verify account	To verify the end user identity	Contract

Verify profile (for the end user)	Same as with create and verify account	To verify the end user identity	Consent
Purchase our services	Name and Surname Full address	to verify your details to minimize fraud to invoice you	Contract
	Payment method details	to process your payments to us	Contract
	End-user proof of address (usually a recent utility bill) Customer ID/driving license/residence permit copies, copy of tax ID	to comply with local regulations where end user information is required in order to use local services	Legal
Use our services	Customer trunk destination	to enable routing of calls and messages	Contract
	Call detail records (CDR) regarding the time, duration, origination and destination of calls and messages	to allow correct billing of services	Contract
		to comply with legal requirements	Legal
Port numbers to us	Name and surname Full address	to authorize us to port numbers on your behalf	Contract
	End user proof of address (usually a recent utility bill) Customer ID/driving license/residence permit copies	to prove to the donating carrier your right to the numbers being ported out	
	Donating carrier's latest invoice to customer and proof of payment for the relevant numbers		
Contact our support team	Your name, email address and phone number Customer identification The content of your messages	to provide the needed support and customer care	Contract, when you are a registered user or customer Consent in all other cases

How we process personal information

The law requires us to determine under which of six defined bases we process different categories of your personal information, and to notify you of the basis for each category.

If a basis on which we process your personal information is no longer relevant then we shall immediately stop processing your data.

If the basis changes then, if required by law, we shall notify you of the change and of any new basis under which we have determined that we can continue to process your information.

2.1. Information we process because we have a contractual obligation with you

When you register to create an account on our website, buy a product or service from us, or otherwise agree to our terms and conditions, a contract is formed between you and us.

In order to carry out our obligations under that contract, we must process the information that you provide to us. Some of this information may be personal information.

We may use this information in order to:

- verify your identity for security purposes;
- sell products and services to you;
- provide you with our services;
- provide you with suggestions and advice on products, services and how to obtain the most from using them and our website.

We process this information on the basis that there is a contract between us, or that you have requested we use the information before we enter into a legal contract.

Additionally, we may aggregate this information in a general way and use it to provide class information, for example, to monitor our performance with respect to a particular service we provide. If we use it for this purpose, you as an individual will not be personally identifiable.

We shall continue to process this information until the contract between us ends or is terminated by either party under the terms of the contract.

2.2. Information we process with your consent

Through certain actions when otherwise there is no contractual relationship between us, such as when you browse our website or ask us to provide you with more information about our business, including our products and services, you provide your consent to us to process information that may be personal information.

Wherever possible, we aim to obtain your explicit consent to process this information, for example, by asking you to agree to our use of cookies.

Sometimes you might give your consent implicitly, such as when you send us a message by e-mail to which you would reasonably expect us to reply.

Except where you have consented to our use of your information for a specific purpose, we do not use your information in any way that would identify you personally. We may aggregate it in a general way and use it to provide class information, for example, to monitor the performance of a particular page on our website.

We continue to process your information on this basis until you withdraw your consent.

You may withdraw your consent at any time by instructing us at gdpr@didxl.com or via your personal account settings. However, if you do so, you may not be able to use our website or our services further.

2.3. Information we process for the purposes of legitimate interests

We may process information on the basis there is a legitimate interest, either to you or to us, of doing so.

Where we process your information on this basis, we do after having given careful consideration to:

- whether the same objective could be achieved through other means;
- whether processing (or not processing) might cause you harm;
- whether you would expect us to process your data, and whether you would, in the round, consider it reasonable to do so.

For example, we may process your data on this basis for the purposes of:

- record-keeping for the proper and necessary administration of our business;
- responding to unsolicited communication from you to which we believe you would expect a response;
- protecting and asserting the legal rights of any party;
- insuring against or obtaining professional advice that is required to manage business risk;
- protecting your interests where we believe we have a duty to do so.

2.4. Information we process because we have a legal obligation

We are subject to the law; therefore, we must process your information in order to comply with statutory obligations.

For example, we may be required to give information to legal authorities if they so request or if they have the proper authorisation such as a search warrant or court order.

This may include your personal information you've uploaded or asked us to upload, in your didXL account or in one of the profiles under your account.

2.5. Retention period for personal data

Except as otherwise mentioned in this privacy and GDPR notice, we keep your personal information only for as long as required by us:

- to provide you with the services you have requested;
- to comply with other laws, including for the period demanded by tax authorities (this will typically be a period of 7 years);
- to support a claim or defense in court.

If you have not purchased or otherwise used any of our services, your personal information may be deleted by deleting your account.

2.6. Use of information we collect through automated systems when you visit our website

(i) Cookies

Cookies are small text files that are placed on your computer's hard drive by your web browser when you visit any website. They allow information gathered on one web page to be stored until it is needed for use on another, allowing a website to provide you with a personalized experience and the website owner with statistics about how you use the website so that it can be improved.

Some cookies may last for a defined period of time, such as one day or until you close your browser. Others last indefinitely. Your web browser should allow you to delete any cookies you choose. It also should allow you to prevent or limit their use.

Our website uses cookies. They are placed by software that operates on our servers, and by software operated by third parties whose services we use.

When you first visit our website, we ask you whether you wish us to use cookies. If you choose not to accept them, we shall not use them for your visit except to record that you have not consented to their use for any other purpose.

If you choose not to use cookies or you prevent their use through your browser settings, you will not be able to use all the functionality of our website.

We use cookies in the following ways:

- to track how you use our website;
- to record whether you have seen specific messages we display on our website;
- to enable you to sign in to your account on our site;
- to maintain the conversation session during a live chat with our support team.

(ii) Personal identifiers from your browsing activity

Requests by your web browser to our servers for web pages and other content on our website are recorded.

We record information such as your geographical location, your Internet service provider and your IP address. We also record information about the software you are using to browse our website, such as the type of computer or device and the screen resolution.

We use this information in aggregate to assess the popularity of the web pages on our website and how we perform in providing content to you.

If combined with other information we know about you from previous visits, the data possibly could be used to identify you personally, even if you are not signed in to our website.

(iii) Our use of remarketing

Remarketing involves placing a cookie on your computer when you browse our website in order to be able to serve to you an advertisement for our products or services when you visit some other website.

We may use a third party to provide us with remarketing services from time to time. If so, then if you have consented to our use of cookies, you may see advertisements for our products and services on other websites.

3. International transfer of information

The provision of our services requires the transfer of data outside of the European Economic Area (the "EEA"). In order to fulfill our contractual obligations to you, we may transfer, process and store your information in any country in which didXL or its affiliates, subsidiaries, suppliers or agents maintain facilities. Among these countries are the USA, Singapore, Belgium and Germany.

Information collected within the EEA may, for example, be transferred to and processed in a country outside of the EEA which may not provide the same level of protection for personal data as within the EEA. By using our Services, you consent to any such transfer of your information outside your country.

4. Information sharing

didXL provides cloud-based telecommunication services that make use of traditional telecom networks. In order for these services to function properly, didXL relies on interconnection to Communication Service Providers globally, and communications-related data is shared with and received from these providers as necessary to route and connect those communications. How these service providers handle this data is generally determined by those providers' own policies and local regulations.

4.1. Third-party service providers or consultants

We engage third-party service providers to process payments on our behalf. These providers are limited to only accessing or using this data to provide services to us and must provide reasonable assurances they will appropriately safeguard the data. We do not store your credit card information.

4.2. Compliance with Legal Obligations

We will disclose your or your end users' personal information, stored in profiles in the didXL portal, to a third party if (i) we are required to do so by applicable law, regulation, legal process or a government request (including to meet national security or law enforcement requirements), (ii) to enforce our agreements and policies, (iii) to protect the security or integrity of our services and products, (iv) to protect ourselves, our other customers, or the public from harm or illegal activities, or (v) to respond to an emergency which we believe in good faith requires us to disclose data to assist in preventing a death or serious bodily injury.

4.3. Affiliates

We may share your personal information or your end users' personal information with an affiliate company, such as a subsidiary of didXL. We and our subsidiaries will only use the information as described in this notice.

4.4. Aggregated or de-identified data

We might also share data with third parties if the data has been de-identified or aggregated in a way so it cannot be used to identify you or your end users.

4.5. Credit reference

To assist in combating fraud, we share information with credit reference agencies, in so far as it relates to clients or customers who instruct their credit card issuer to cancel payment to us, without having first provided an acceptable reason to us and given us the opportunity to refund their money.

5. Communications and notifications

As part of the service, we may send you messages relating to your account and the services you are using, such as invoices, payment receipts, low balance alerts, technical notifications and other issues. These messages comprise a mandatory part of the services. If you wish to stop them, you must cancel your services.

When you contact us, whether by telephone, through our website or by email, we collect the data you have given to us in order to reply with the information you need.

We record your request and our reply in order to increase the efficiency of our business.

We keep personally identifiable information associated with your messages, such as your name and email address so as to be able to track our communications with you to provide a high quality service.

If you contact our sales or support teams, we will respond to your communications by means of portal, live chat, email or telephone.

We may contact you from time to time to keep you up to date with news about our services, including new products, campaigns, promotions and payment methods. You can stop receiving promotional messages by following the instructions included in such messages.

6. Use of site by children

We do not sell products or provide services for purchase by children, nor do we market to children. If you are under 18, you may use our website only with consent from a parent or guardian.

7. Third party sites

Our website may contain links to the websites of third parties. These sites are not under our control and will have their own Privacy Policy.

8. Access to personal information

Access to your personal information

At any time you may review or update personally identifiable information that we hold about you, by signing in to your account on our website.

To obtain a copy of any information that is not provided in your account section on our website, you may send us a request at gdpr@didXL.com.

After receiving the request, we will inform you when we expect to provide you with the information, and whether we require any fee for providing this information to you.

Removal of your information

If you wish to remove personally identifiable information from our systems, you may contact us at gdpr@didXL.com.

This may limit the service we can provide to you.

Verification of your information

When we receive any request to access, edit or delete personal identifiable information, we shall first take reasonable steps to verify your identity before granting you access or otherwise taking any action. This is important to safeguard your information.

9. Complaints

If you are dissatisfied with our Privacy and GDPR Notice or if you have any complaints, then please inform us by email at gdpr@didXL.com.

If a dispute is not settled, then we hope you will agree to attempt to resolve it by engaging in good faith with us in a process of mediation or arbitration.

If you are in any way dissatisfied about how we process your personal information, you have a right to lodge a complaint with the Data Protection Commissioner