

PRIVACY POLICY

ONLINE STORE

MOTOBIRDS.COM

01.01.2023

§ 1

GENERAL PROVISIONS

1. The administrator of personal data collected through the motobirds.com Online Store is Aleksandra Trzaskowska, conducting business activity under the name Aleksandra Trzaskowska TYLKO DLA ORLIC entered in the Central Register and Information on Economic Activity of the Republic of Poland, kept by the minister competent for economy, place of business and address for delivery : ul. Na Przelaj 12 B, 03-092 Warsaw, NIP: 5213014862, REGON: 368502080, e-mail address: info@motobirds.com, phone number: +48 739 299 907 , hereinafter referred to as the "Administrator" and being at the same time "Service Provider".
2. Personal data collected by the Administrator *via* the website are processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free flow of such data, and repeal Directive 95/46 / EC (General Data Protection Regulation), hereinafter referred to as GDPR.
3. All words or expressions written in the content of this Privacy Policy with a capital letter should be understood in accordance with their definition contained in the Terms and Conditions of the motobirds.com Online Store.



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adres: ul. Na Przelaj 12 B, 03-092 Warszawa, Polska

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info@motobirds.com

§ 2

TYPE OF PERSONAL DATA PROCESSED, PURPOSE AND SCOPE OF DATA COLLECTION

1. **PROCESSING PURPOSE AND LEGAL BASIS.** The administrator processes the personal data of the motobirds.com Store Users in the case of:
 - a. placing an Order or making a Reservation in the Store in order to perform a Sales Contract, pursuant to art. 6 clause 1 lit. b) GDPR (performance of the sales contract),
 - b. account registration in the Store, in order to create an individual account and manage this Account, pursuant to art. 6 clause 1 lit. b) GDPR (performance of the contract for the provision of electronic services in accordance with the Regulations of the Store),
 - c. conclusion by the Customer of the contract for the provision of free materials referred to in § 5 of the Terms & Conditions of the Store, in order to perform the contract for the provision of Digital Content in the form of free materials pursuant to art. 6 sec. 1 lit. b) GDPR (performance of the contract),
 - d. subscribing to the Newsletter in order to send commercial information by electronic means. Personal data is processed after expressing a separate consent, pursuant to art. 6 sec. 1 lit. a) GDPR,
 - e. use of the Contact Form to send a message to the Administrator pursuant to art. 6 sec. 1 lit. f) GDPR (legitimate interest of the entrepreneur).
2. **TYPE OF PERSONAL DATA PROCESSED.** The Service Recipient provides in the case of:
 - a. Orders: name and surname, date of birth, PESEL number, passport series and number, address, TAX ID, e-mail address, telephone number,
 - b. Accounts: name and surname, nickname, e-mail address,
 - c. Subscribing to the Newsletter and receiving free materials: name, e-mail address,
 - d. Contact Form: name and surname, e-mail address.
3. **PERIOD OF PERSONAL DATA ARCHIVING.** The Customer's personal data are stored by the Administrator:



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- a. in the event that the basis for data processing is the performance of the contract, as long as it is necessary to perform the contract, and after that time for a period corresponding to the period of limitation of claims. Unless a special provision provides otherwise, the limitation period is six years. For claims related to periodic benefits and claims related to business activity - three years.
 - b. in the event that the basis for data processing is consent, as long as the consent is not revoked, and after revoking the consent for a period of time corresponding to the limitation period of claims that may be raised by the Administrator and which may be raised against him. Unless a special provision provides otherwise, the limitation period is six years. For claims related to periodic benefits and claims related to business activity - three years.
4. When using the Store, additional information may be downloaded, in particular: the IP address assigned to the Customer's computer or the external IP address of the Internet provider, domain name, type of browser, access time, type of operating system.
5. After expressing separate consent, pursuant to art. 6 clause 1 lit. a) GDPR, data may also be processed for the purpose of sending commercial information by electronic means or making telephone calls for direct marketing - respectively in connection with art. 10 paragraph 2 of the Act of July 18, 2002 on the provision of electronic services or art. 172 section 1 of the Act of 16 July 2004 - Telecommunications Law, including those managed as a result of profiling, provided that the Customer has given relevant consent.
6. Internet navigation data may also be collected from Customers, including information about links and references in which they decide to click or other activities undertaken in the Store. The legal basis for this type of activity is the Administrator's legitimate interest (Article 6 (1) (f) of the GDPR), consisting in facilitating the use of electronic services and improving the functionality of these services.
7. Providing personal data by the Customer is voluntary.
8. Personal data will also be processed in an automated manner in the form of profiling, provided that the Customer agrees to it pursuant to art. 6 clause 1 lit. a) GDPR. The consequence of profiling will be the assignment of a given profile to a



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person, to make decisions about him or to analyze or predict his preferences, behaviors and attitudes.

9. The administrator makes special diligence to protect the interests of the Customers, and in particular ensures that the data collected by him is:
 - a. processed in accordance with the law,
 - b. collected for specified, lawful purposes and not subjected to further processing incompatible with those purposes,
 - c. factually correct and adequate in relation to the purposes for which they are processed and stored in a form that enables identification of persons to whom they relate, no longer than is necessary to achieve the purpose of processing.

§ 3

SHARING OF PERSONAL DATA

1. The personal data of the Service Recipients are transferred to service providers, used by the Administrator when running the Store, in particular to:
 - a. entities delivering the Products,
 - b. payment system providers,
 - c. providers of opinion survey systems,
 - d. accounting office,
 - e. hosting providers,
 - f. providers of software enabling business operations,
 - g. entities providing the mailing system,
 - h. software provider needed to run an online store.
2. The Customers' personal data are stored only within the European Economic Area (EEA).

§ 4

RIGHT OF CONTROL, ACCESS TO OWN CONTENT AND CORRECTION

1. The Customers have the right to access their personal data and the right to rectify, delete, limit processing, the right to transfer data, the right to object, the right to withdraw consent at any time without affecting the lawfulness of the processing that has been carried out based on consent before its withdrawal.



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2. Legal grounds for the Customer's request:
 - a. **Access to data** - art. 15 GDPR.
 - b. **Correction of data** - Art. 16 GDPR.
 - c. **Deleting data** (the so-called right to be forgotten) - art. 17 GDPR.
 - d. **Restriction of processing** - art. 18 GDPR.
 - e. **Data transfer** - art. 20 GDPR.
 - f. **Opposition** - Art. 21 GDPR
 - g. **Withdrawal of consent** - art. 7 item 3 GDPR.
3. In order to exercise the rights referred to in point 2, you can send an appropriate email to: **info@motobirds.com**.
4. In the event of the Customer having the right arising from the above rights, the Administrator complies with the request or refuses to comply with it immediately, but not later than within a month after receiving it. However, if - due to the complicated nature of the request or the number of requests - the Administrator will not be able to fulfill the request within a month, he will fulfill it within the next two months informing the Customer in advance within one month of receiving the request - about the intended extension of the deadline and its reasons.
5. In the event that the processing of personal data violates the provisions of the GDPR, the data subject has the right to lodge a complaint with the President of the Office for Personal Data Protection.

§ 5

"COOKIES" FILES

1. The Administrator's website uses "cookies".
2. The installation of "cookies" is necessary for the proper provision of services on the Store's website. "Cookies" contain information necessary for the proper functioning of the website, and also provide the opportunity to compile general statistics of website visits.
3. The site uses two types of "cookies": "session" and "permanent".
 - a. "Session" "cookies" are temporary files that are stored in the Customer's device until logging out (leaving the site).



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- b. "Permanent" "cookies" are stored on the Customer's terminal device for the time specified in the parameters of "cookies" or until they are deleted by the Customer.
4. The administrator uses its own "cookies" to better understand how Customers interact with the content of the page. The files collect information on the manner of using the website by the Customer, the type of page from which the Customer was redirected, and the number of visits and the time of the Customer's visit on the website. This information does not register the Customer's specific personal data, but is used to compile statistics on the use of the website.
5. The administrator uses external "cookies" to collect general and anonymous static data via Google Analytics analytical tools (external cookie administrator: Google Inc. based in the USA).
6. The Customer has the right to decide on the access of "cookies" to his computer by first selecting them in his browser window. Detailed information about the possibilities and ways of handling "cookies" are available in the software (web browser) settings.
7. The Customer has the right to decide on the access of "cookies" to his computer by:
 - a. selection of types of "cookies" for the collection of which he agrees to immediately after entering the Store's website and the appearance of a message regarding "cookies",
 - b. changing the settings in a browser window. Detailed information on the possibilities and ways of handling "cookies" are also available in the software (web browser) settings.

§ 6

ADDITIONAL SERVICES RELATED TO USER ACTIVITY IN THE STORE

1. The Store uses so-called social plugins ("plugins") of social networking sites. By displaying the motobirds.com website containing such a plug-in, the Customer's browser will establish a direct connection with Facebook, Instagram, LinkedIn, YouTube and Google servers.
2. The content of the plug-in is transferred by the given service provider directly to the Customer's browser and integrated with the website. Thanks to this integration, service providers receive information that the Customer's browser has displayed the



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motobirds.com website, even if the Customer does not have a profile with the given service provider or is not currently logged in to him. Such information (along with the Customer's IP address) is sent by the browser directly to the server of the given service provider (some servers are located in the USA) and stored there.

3. If the Customer logs in to one of the above social networking sites, the service provider will be able to directly assign a visit to motobirds.com to the Customer's profile on the given social networking site.
4. If the Customer uses a given plug-in, e.g. by clicking on the "Like" or "Share" button, then the relevant information will also be sent directly to the server of the given service provider and stored there.
5. The purpose and scope of data collection and their further processing and use by service providers, as well as the possibility of contact and the Customer's rights in this regard and the possibility of making settings that ensure the protection of the Customer's privacy are described in the privacy policy of service providers:
 - <https://www.facebook.com/policy.php>,
 - https://help.instagram.com/519522125107875?helpref=page_content,
 - <https://pl.linkedin.com/legal/privacy-policy>,
 - <https://policies.google.com/privacy?hl=pl&gl=ZZ>
6. If the Customer does not want social networking services to assign data collected during visits to motobirds.com directly to his profile on a given website, he must log out of this website before visiting motobirds.com. The Customer may also completely prevent the plugins from loading on the page by using the appropriate browser extensions, e.g. blocking scripts using "NoScript".

§ 7

FINAL PROVISIONS

1. The Administrator uses technical and organizational measures to ensure the protection of processed personal data appropriate to the threats and categories of data protected, and in particular protects the data against disclosure to unauthorized persons, removal by an unauthorized person, processing in violation of applicable laws and change, loss, damage or destruction.



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2. The Administrator provides appropriate technical measures to prevent the acquisition and modification by unauthorized persons of personal data sent electronically.
3. In matters not covered by this Privacy Policy, the provisions of the GDPR and other relevant provisions of Polish law shall apply accordingly.



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