

PRIVACY POLICY

Last update: July 2020

When You are using the Services, we may ask You to provide us with personal data concerning You, designating all the data that identify an individual directly or indirectly

This privacy policy (the “**Privacy Policy**”) describes the processing My-Sessions undertakes with certain personal information related to You.

1. DATA CONTROLLER

The company My-Sessions, with its principal place of business at 68 rue de Clignancourt, 75018 Paris, France, collects and processes some of Your personal information, as defined in this Privacy Policy, and is acting as data controller in relation with such processing.

You may contact My-Sessions at the following e-mail address privacy@My-Sessions.com for any question or query you may have in relation with the processing of Your personal information.

2. INFORMATION WE COLLECT

There are three general categories of information we collect.

2.1 Information You give to us.

2.1.1 Information that is necessary for the use of the Services.

We ask for and collect the following personal information about You when You use the Platform.

For Users and Photographers:

- **Account Information:** when You create a User Account, we require You to provide the following information: Your first name, last name, email address, and profile picture.

For Photographers, we also require its professional registration number, if applicable.

2.1.2 Information You choose to give us.

You may choose to provide us with additional personal information as part of Your profile. Such additional information will allow You to obtain a better user experience when using the Platform and to facilitate Your identification. As such, You may choose to inform us whether You are currently on a surf trip or whether You are about to go on a surf trip, and, as the case may be, the country/city where You are or where You intend to go, the dates of Your surf trip, and whether You stay at a surf camp that is a partner of My-Sessions.

2.2 Information we automatically collect from Your use of the Platform.

When You use the Platform, we automatically collect information, including personal information, about the services You use and how You use them. . Such information includes the following:

- **Usage Information.** We collect information about Your interactions with the Platform such as the pages or content You view.
- **Log Data and Device Information.** We automatically collect, through a service provider, log data and device information when You access and use the Platform, even if You have not created a User Account or logged in. That information includes details about how You have used the Platform, access dates and times, hardware and software information, device information, unique identifiers, crash data, cookie data, and the Pictures You have viewed, at which moment You viewed them and how many times You clicked on such Pictures.
- **Cookies.** We use cookies. We may also use the services of third parties that use these tracking technologies on the Platform. For more information on our use of cookies, see our Cookies Policy in Section 6 below.

2.3 Information we collect from third parties.

My-Sessions may collect information, including personal information, that others provide about You when You connect to the Platform through others' services.

- **Third Party Services.** If You link, connect, or login to your User Account with a third party service (e.g. Google+, Facebook), the third party service may send us information such as Your registration and profile information from that service. This information may vary and is controlled by that service or as authorized by You via Your privacy settings at that service. You are not obliged to connect using a third party service and this is Your decision to do so. If You decide to connect or login to Your User Account with a third party service, My-Sessions will not share with such third party service any of the Pictures of You, unless You have expressly given Your consent for such sharing.
- **Photographs.** The Photograph(s) may take Pictures of You and upload them on the Platform, in order to allow You to view them and buy them. These Pictures will be stored on the servers of My-Sessions and My-Sessions will access to these Pictures for the sole purposes of allowing You to acquire them.

2.4 Information collected by third parties that is necessary for the payment of the Pictures.

The payments service provider we use needs to collect:

- **Identification Information:** Your first name, last name, nationality, date of birth, address, country, and email address.
My-Sessions also use the foregoing personal data for providing You with new offers or Services.
- **Payment Information:** credit card numbers, bank account information. For Photographers, the service provider may also require its professional registration number, if applicable.

In order to verify your identity and to comply with tax, fiscal legal requirement or other legal obligations (including for preventing the fraud or anti-money laundering regulations), we may also be required to collect from You, Your ID card or passport.

My-Sessions does not use or store the foregoing personal data. Such personal data is collected by the payment service provider and is not shared with us.

3. WHY WE COLLECT YOUR PERSONAL INFORMATION

We collect Your personal data, based on either:

- Your consent
- the adequate performance of the agreement between You and us
- our compliance with our legal obligations
- our legitimate interest given to improve the functionalities of the Platform or the Services

Your personal data is collected and processed to fulfill one or more of the following purposes:

- (i) Manage Your access to the Platform and the Services accessible on the Platform and Your use, as well as respond to any request concerning Your use of the Services
- (ii) Perform operations relating to the management and monitoring of our relationships when using our Services
- (iii) Create a file of registered members and users

- (iv) Send newsletters or all informative messages relating to our news and / or any development of our Services, unless You expressly refuse it or withdraw Your consent
- (v) Send advertisements, including targeted advertisements, unless You expressly refuse it or withdraw Your consent
- (vi) Receive frequentation statistics for our Services
- (vii) Optimize the operation and efficiency of the Services we offer,
- (viii) Respect our legal and regulatory obligations

We inform You, when collecting Your personal data, whether certain data must be completed or whether it is optional. We also tell you the possible consequences of a lack of response.

4. HOW WE USE INFORMATION WE COLLECT

We use, store, and process information, including personal information, about You to provide, understand, improve, and develop the Platform, create and maintain a trusted environment and comply with our legal obligations.

4.1 Provide, improve, and develop the Platform.

- Enable You to access and use the Platform and the Services, and buy Pictures.
- Inform You about the time remaining before we remove the Pictures of You from the Platform.
- Operate, protect, improve, and optimize the Platform and experience, such as by performing analytics and conducting research.
- Provide a customer service.
- Send You service or support messages, updates, security alerts, and account notifications.

4.2 Create and maintain a trusted environment.

- Detect and prevent illicit content, fraud, spam, abuse, security incidents, and other harmful activity.
- Conduct security investigations and risk assessments.
- Verify or authenticate information or identifications provided by You (such as to compare Your identification photo to another photo You provide).
- Conduct checks against databases and other information sources, including background or police checks, to the extent permitted by applicable laws and with Your consent where required.
- Comply with our legal obligations. We process this information given our legitimate interest in protecting the Platform, to measure the adequate performance of our contract with you, and to comply with applicable laws.

4.3 Provide and improve our information activities.

We will send You e-mails containing certain information in connection with the functionalities of the Platform or more general information about the Platform and the Services that may be of interest to You.

When You have viewed a Picture of You on Your User Account but You have not acquired it yet, we will send You e-mails informing You about the time remaining before we remove the Pictures of You from the Platform in order to allow You to buy these Pictures before we remove them.

We will process Your personal information for the purposes listed in this section given our legitimate interest in providing You with information about the Platform and our Services, that may be of Your interest. You can opt-out of receiving communications from us by

following the unsubscribe instructions included in our communications or changing Your notification settings within your User Account.

4.4 How the payment service provider uses the Information Collected.

- Enable You to pay the Pictures You have decided to acquire.
- Detect and prevent fraud, abuse, security incidents, and other harmful activity.
- Conduct checks against databases and other information sources.
- Comply with legal obligations.
- Enforce the payment terms and other payment policies.
- With Your consent, send You promotional messages, marketing, advertising, and other information that may be of interest to you based on your preferences.

The payment service provider processes this information given its legitimate interest in improving the payment services and its users' experience with it, and where it is necessary for the adequate performance of the contract with You and to comply with applicable laws.

5. TERM OF DATA STORAGE - How long personal data is stored

My-Sessions stores Your personal data for a term that is strictly necessary for the adequate provision of the Services to You.

Beyond the periods set forth below, personal data will be erased or except for Pictures, may be rendered anonymous and stored solely for statistical use. In any event, personal data will not be exploited, in any nature and for any purposes whatsoever.

5.1 Regarding personal data relating to the management and monitoring of relationships between You and My-Sessions:

My-Sessions keeps your personal data for up to three (3) years from either:

- The closing date of Your account on the Platform;
- The date of Your last contact with My-Sessions or Your last activity on the Platform.

At the end of this period, My-Sessions will contact You again to find out if You would like to continue to receive information from it about the Services.

However, the personal data necessary to establish evidence of a right or contract will be stored under a legal obligation, during the period of time under the existing law.

Notwithstanding the above, Pictures that Users have not purchased are stored for three (3) months from the upload date on the Platform. Pictures that Users have purchased are stored on the Platform, unless Users proceed to their deletion.

5.2 Regarding personal data relation to the transactions between Users and Photographers:

Personal data which is collected for the purpose of providing evidence of the financial transaction between Users and Photographers are stored for five (5) years from the transaction date.

My-Sessions stores the personal data of Photographers that are necessary for its compliance with tax legislation and regulation for ten (10) years from the collection date.

Personal data such as ID cards or bank account information which is collected for preventing the fraud or anti-money laundering regulations are stored for the time necessary for My-Sessions to complete its legal obligations toward authorities.

4. Regarding the audience measurement statistics:

Such information collected by My-Sessions will not be stored beyond thirteen (13) months from the collection date.

6. SHARING & DISCLOSURE

6.1 With Your Consent.

Where You have provided consent, we share Your information, including personal information, as described at the time of consent, such as when You authorize a third-party application or website to access Your User Account or when You participate in promotional activities conducted by My-Sessions partners or third parties.

6.2 Information You decide to share on the social media platforms

You may decide on Your own to share some Pictures of You on the social networks You use (e.g. Facebook, Google +). For that purpose, My-Sessions will provide You with a link (URL) that You may post on Your profile of the social network of Your choice. In such case, the Pictures You will share will be visible by the people You have selected in the privacy settings of such social network(s). You are free to modify at any time such privacy settings, in order to limit or extend the people that may see the content You publish on such social network(s). My-Sessions shall not be responsible for any consequences that may arise from Your decisions to share certain Pictures of You on any social media platforms.

The link that My-Sessions will provide You will include specific hashtags providing information about the place (city, surf spot) where the Picture You intend to share was taken, the surfcamp You are staying at, and a hashtag related to My-Sessions. These hashtags will be pre-completed by My-Sessions and You have the possibilities to remove such hashtags or amend them. It is not mandatory to share these hashtags. If You decide to share these hashtags, You consent to disclose the personal data they may contain to the public.

6.3 Compliance with law, responding to legal requests, preventing harm and protection of our rights.

My-Sessions may disclose your information, including personal information, to courts, law enforcement or governmental authorities, or authorized third parties, if and to the extent we are required or permitted to do so by law or if such disclosure is reasonably necessary: (i) to comply with our legal obligations, (ii) to comply with legal process and to respond to claims asserted against MySessions, (iii) to respond to verified requests relating to a criminal investigation or alleged or suspected illegal activity or any other activity that may expose us, you, or any other of our users to legal liability, (iv) to enforce and administer our General Conditions, or (v) to protect the rights, property or personal safety of My-Sessions, its employees, its Users, or Photographers.

These disclosures may be necessary to comply with our legal obligations, for the protection of your or another person's vital interests or for the purposes of our or a third party's legitimate interest in keeping the Platform secure, preventing harm or crime, enforcing or defending legal rights, or preventing damage.

Where appropriate, we may notify Users about legal requests unless: (i) providing notice is prohibited by the legal process itself, by court order we receive, or by applicable law, or (ii) we believe that providing notice would be futile, ineffective, create a risk of injury or bodily harm to an individual or group, or create or increase a risk of fraud upon My-Sessions's property, its Members and the Platform. In instances where we comply with legal requests without notice for these reasons, we will attempt to notify that Member about the request after the fact where appropriate and where we determine in good faith that we are no longer prevented from doing so.

6.4 Service Providers.

My-Sessions uses some third-party service providers to help us provide services related to the Platform. Service providers may be located inside or outside of the European Economic Area. In particular, our service providers are based in Europe and North America.

My-Sessions uses the hosting services of Microsoft Azure (based in the U.S.A) which servers are located within the European Union.

My-Sessions uses the services of Amazon Rekognition (based in the U.S.A) in order to identify You and allow You to access to the Pictures that have been taken by a Photographer. Amazon Rekognition does not have access of Your Pictures. The servers of Amazon Rekognition are located within the European Union.

My-Sessions uses the services of MangoPay for the payment of the Pictures You decide to buy.

My-Sessions uses the services of OVH (based in Roubaix, France) for the domain name.

My-Sessions uses the services of Google Analytics for the purposes described in Section 6 below.

My-Sessions uses the services of a web developer located in the EU, which provides support and maintenance services in relation with the Platform.

7. YOUR RIGHTS

7.1 Right of access and rectification

You have the right to have confirmation as to whether or not personal information concerning You is being processed and, where it is the case, access to the personal information My-Sessions is processing about You. You also have the right to request My-Sessions to (i) rectify any of inaccurate personal information concerning You and (ii) have incomplete personal information completed. You may also directly modify or complete any such personal information at any time *via* Your User Account.

7.2 Right to erasure

Subject to our storage legal obligations, You have the right to request My-Sessions to remove any of Your personal information from the Platform, in particular where (i) the personal information is no longer necessary in relation to the purposes for which it was initially collected or processed, (ii) You have withdrawn Your consent for certain processing of Your personal information, (iii) You believe that the personal information have been unlawfully processed, (iv) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which My Sessions is subject.

7.3 Right to restriction of processing

You have the right to obtain the restriction of processing where (i) You contest the accuracy of the personal information concerning You, (ii) You believe that their processing is unlawful and You request the restriction of their use instead of the erasure, and (iii) My Sessions no longer needs the personal data for the purposes of the processing but You need such personal data for the establishment, exercise or defense of legal claims.

7.4 Right to data portability

You have the right to receive the personal data concerning You in a structured, commonly used and machine-readable format and have the right to transmit those data to another data controller.

7.5 Right to object

You have the right to object, on grounds relating to Your particular position, at any time to processing of personal data concerning You where the processing is necessary for the purposes of the legitimate interests pursued by us, unless My-Sessions demonstrates compelling legitimate grounds for the processing which overrides Your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

7.6 Automated individual decision-making

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning You or similarly affects You, unless this decision is necessary for entering into, or performance of a contract between the data subject and a data controller or is authorized by Union or Member State law to which My-Sessions is subject, or if You have given Your explicit consent.

7.7 Right to lodge a complaint

You gave the right to lodge a complaint with a supervisory authority (such as the French Commission Nationale de l'Informatique et des Libertés).

7.8 Exercise of Your rights

You may exercise any of Your rights by contacting My-Sessions at the following e-mail address: privacy@my-sessions.com.

8. Cookies policy

8.1 What is a cookie and for which purposes do we use cookies?

Cookies are files that are placed in the browser on your computer or terminal when you browse the Platform. These files are subsequently automatically sent by the browser to the servers of My-Sessions during your browsing, in order:

- to enable browsing on the Platform (management of shopping baskets, customer account connection sessions, proof of authentication for the "remember me" function) and to adapt to your terminal (language used, display resolution, operating system of the Platform);
- to monitor user browsing on the Platform and to measure audiences to optimize and improve the Platform.

8.2 Who are the cookies placed by?

These files are placed:

- Either by My-Sessions ; or
- By third parties: when You browse the Platform, cookies are issued by a third-party audience measurement company (Google Analytics), subject to choices that you have made previously with their services, or at any time under the conditions described below.

These cookies are mainly intended to measure audiences, make statistics and improve the experience on the Platform.

The issue, use and management of these third-party cookies are subject to the confidentiality and data-protection policies of this third-party company. However, we inform you, when we actually know, of the purpose and means of management of these cookies.

8.3 Detailed description of the cookies used by My-Sessions:

Cookies for technical uses:

- browsing sessions (connection to user account, technical browsing session);
- simplification of the visit, with adaptation of display criteria to your computer or terminal (language used, display resolution, operating system, browser used, accessibility parameter);
- detection of a previous visit;
- registration of customer preferences;
- automatic re-connection to the customer account (when activated).

These cookies are necessary to the correct functioning of My-Sessions and to your browsing.

Cookies used for monitoring:

- audience measurement: statistical data on traffic and the use of the Platform (sections and content targeted, click path) in order to measure and study the functioning and efficiency of the Platform, and thus improve the benefit and ergonomics of the services of My-Sessions;
- comparative tests of several versions of the Platform.

These cookies enable the continuous improvement of the Platform and Services provided by My-Sessions (benefits, ergonomics). We use the services of Google Analytics for this monitoring purpose.

The cookies that collect Google Analytics are the following:

__utma, __utmb, __utmc, __utmv, __utmz, _ga, _gat_UA-31023104-1, _gid, _gat_UA-79292220-1

8.4 How are cookies put in place?

When browsing the Platform:

- You are informed of the existence of cookies *via* the navigation banner that appears when You first visit or in case you delete the cookies placed by My-Sessions or third parties;
- You consent to the placing and use of cookies by every browsing act.

8.5 How do I express my choices concerning cookies?

You can configure Your browsing:

- With Your browser: You can authorize or refuse the saving of cookies on your computer or terminal with the appropriate parameters of your browsing software. These parameters are specific to each browser and are accessible via your browser's help menu:

o Internet Explorer™: <http://windows.microsoft.com/fr-FR/windows-vista/Block-or-allow-cookies>

o For Safari™: https://support.apple.com/kb/ph21411?locale=fr_CA

o For Chrome™: <http://support.google.com/chrome/bin/answer.py?hl=fr&hlrm=en&answer=95647>

o For Firefox™: <http://support.mozilla.org/fr/kb/Activer%20et%20d%C3%A9sactiver%20les%20>

o For Opera™: <http://help.opera.com/Windows/10.20/fr/cookies.html>

- If You wish to deactivate Google Analytics on the Platform, please visit the deactivation page proposed by Google or uncheck the following box: