

# MIRAKL ADS

## Privacy Policy

Mirakl Ads Website is a platform operated by Mirakl (hereinafter “us” or “we” or “our”) that brings together a community of Publishers and Advertisers, in order to allow Advertisers to display advertisements on the Publishers’ Platforms (hereafter the “Website”).

As a user of the Website (the “user”, or “you”) you are accessing, browsing, navigating and otherwise using the Website, and in doing so you potentially communicate your personal data to us.

These personal data are protected by applicable laws, and thus, we, as data controller or data processor, as appropriate, has implemented appropriate security measures to protect your personal data.

Please read this privacy policy carefully as it explains how we collect and use your personal data. This privacy policy supplements any documents or notices that may refer to this privacy policy.

### 1. What personal data are processed?

The following data provided by you through the Website or when you communicate with us are processed by us:

Type of data	Examples of data
Identification data	First name, last name
Contact details	Email address
Professional data	Company information
Data related to your exchanges with us	Information requests / complaints, exchanges with our services

The provision of certain types of personal data may be mandatory or optional, depending of the services you wish to receive. Mandatory data will be marked as such at the moment of collection of your data. If you refuse to provide mandatory data, we may not be able to process your request.

Please note the Website only uses strictly necessary or technical cookies.

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## 2. For what purposes is your personal data used?

We process your personal data for the following purposes:

Purposes	Examples of use of your personal data	Legal bases
Allowing the creation of a user account	<ul style="list-style-type: none"><li>to identify you</li><li>to allow you to access and use the Website</li></ul>	Performance of a contract between us and the user and your consent
Managing your request addressed to the support service	<ul style="list-style-type: none"><li>to contact you</li><li>to answer your questions</li><li>to solve your issues</li></ul>	Performance of a contract between us and the user and your consent
Improving the Website, as well as your user experience on the Website	<ul style="list-style-type: none"><li>to evaluate and improve the Website and the services it provides</li><li>to facilitate your navigation on the Website</li><li>to take steps designed to protect the security of the Website</li></ul>	Our legitimate interest to improve the Website, as well as your user experience on the Website
Pre-litigation or litigation management	<ul style="list-style-type: none"><li>to take action against any identified breach</li><li>to manage any dispute or litigation</li></ul>	Our legitimate interest to defend our rights and interests
Compliance with legal and regulatory obligations	<ul style="list-style-type: none"><li>to comply with legal and regulatory obligations</li><li>to process your requests to exercise your rights</li></ul>	Legal and regulatory obligations to which we are subject

## 3. Who can access your personal data?

Except as specified herein or permitted or required by applicable law, we do not generally share personal data about you with any third party without your permission and we do not allow third parties to collect personal data from users on the Website. This does not include

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trusted third parties who assist us in operating the Website, conducting our business or serving you, as long as those parties agree to keep this information secure and confidential. Those third-party providers shall only be granted access to the information they need to perform their designated functions and will be subject to confidentiality and data protection obligations regarding such information and will not be authorized to use your personal data for their own business purposes. We shall in no event be released from our obligations towards the users to the extent it uses such third-party providers.

More specifically, part of your personal data may be transmitted to the following recipients when you access, browse, navigate and use the Website:

Recipients	Purposes
Mirakl and its duly authorized employees	Provision of the Website and management of the Website
Companies of our group and their duly authorized employees	Exclusively for operational, technical or logistical purposes
Mirakl's subcontractors (hosting providers, support service provider, logs monitoring, etc.)	Exclusively for technical or logistical purposes
Administrative or judiciary authorities	Exclusively in the case of an express and justified request or in case of an alleged violation of legal or regulatory provisions
Lawyers and other interested parties	Exclusively in the case of the management of possible disputes and other legal matters where appropriate
Other third parties	Following or during a restructuring, reconstitution, acquisition, debt financing, merger, sale of assets or a similar transaction, as well as in case of insolvency, bankruptcy or receivership where personal data are transferred to one or more third parties as our assets

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## 4. Will your personal data be transferred outside of the European Economic Area?

If you are located in the European Economic Area (EEA), as far as possible, your personal data are processed within EEA. However, some of the companies of our group, as well as our services providers being located outside of the EEA, your personal data may therefore be processed in those countries.

When your personal data are transferred outside the EEA, we will, in the absence of an adequacy decision and after having carried out an assessment of the level of protection of your rights on the territory of the third country where the recipient of your personal data is established, implement all necessary measures through the adoption of appropriate safeguards (such as standard contractual clauses).

## 5. How do we protect your personal data?

We have implemented technical and organizational measures to protect your personal data, in particular, against potential data breaches likely to cause, either by accident or unlawfully, the destruction, loss, modification, unauthorized access or divulgation of your personal data. These measures will guarantee a level of security adapted to the data and will take into account the state of the art and the cost of implementation in relation to the risks and nature of the data to be protected. We use SSL certificates to encrypt this Website and only a limited number of staff have access to your personal data.

We guarantee that our personnel and any other person processing your personal data will respect the internal rules and procedures related to the processing of personal data, including the technical and organizational security measures put in place to protect your personal data. In this context, we review and update our practices regularly to enhance your privacy and ensure that its internal policies are followed.

If you have found a vulnerability or would like to report a security incident, please visit [vdp.mirakl.com](https://vdp.mirakl.com).

## 6. For how long are personal data stored?

Generally, your personal data will only be retained for the period necessary for the accomplishment of the purposes for which said data was collected, or as necessary to fulfill legal or regulatory obligations.

In the absence of applicable exceptions:

- the data collected for your requests/complaints made to the support service will be kept until the issue has been solved;
- your traffic data will be kept for a period of thirteen (13) months from the connection date.

In addition to this, we will keep your personal data for:

- three (3) years for data processed for marketing purposes;
- five (5) years for evidence purposes relating to legal claims;

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- ten (10) years from the end of the relevant fiscal year for personal data retained for accounting purposes as well as for commercial documents.

## 7. What are your rights regarding your personal data?

Under certain circumstances, you might have the following rights under data protection laws over your personal data

- you can request access to your personal data in order to obtain clear, transparent and understandable information on how we process your personal data and on your rights (as provided in this policy), as well as a copy of your personal data.
- you can request the rectification or correction of your personal data in order to obtain the modification of your personal data if they are obsolete, inaccurate or incomplete.
- you can object to the processing of your personal data when the processing is based on our legitimate interest. We will no longer process your personal data, unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, such as the respect of a legal obligation (e.g. legal obligation involving the retention of documents with personal data), or for the establishment, exercise or defense of legal claims.
- you can request the restriction of the processing during a limited period of time, in particular in order to carry out some verifications, where one of the following applies:
  - o you contest the accuracy of your personal data, the processing of which is thus restricted for the period necessary for us to verify the accuracy of such personal data;
  - o you object to the erasure of your personal data on the ground of the processing being unlawful and you request the restriction of their use;
  - o we no longer need your personal data for the purposes of the processing, but you need them for the establishment, exercise or defense of legal claims;
  - o you have objected to the processing, which is thus restricted pending the verification of whether the compelling of our legitimate grounds may override your interests, rights and freedoms.
- you can withdraw your consent, at any time, for the purposes for which your consent has been obtained.
- you can ask to receive your personal data in a structured, commonly used and machine-readable format and also can request their transmission to another controller where technically feasible. This right is not exercised in all circumstances, it only applies if it fulfills all the following conditions:
  - o your request is only related to your personal data, excluding anonymous or third party data;
  - o your request does not adversely affect the rights or freedoms of others (including trade secrets or intellectual property);
  - o the processing is carried out by automated means (paper files are therefore not included);
  - o the processing is based on consent or on a contract (to check if it is the case, please see the Article 5 of this policy).

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- you can request the deletion of your personal data (or right to be forgotten), where one of the following legal grounds applies:
  - o you object to the processing of your personal data and there are no overriding legitimate reasons justifying to maintain the processing of your personal data , such as an obligation for us to keep certain documents with personal data;
  - o you object to marketing activities;
  - o you decide to withdraw your consent on which the processing is based;
  - o your personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
  - o the use that is made of your data does not comply with the applicable legal or regulatory provisions.

If you are based in France, you can define either general or specific guidelines regarding your personal data in the event of your death (for example, their deletion or transmission to any person of your choice). You may revoke your instructions at any time.

If you are based in USA, you have additionally:

- the right to request us to restrict the use of your sensitive personal information such as social security number, religious beliefs etc. by limiting its use and disclosure for specific business purposes;
- the right to opt out of the sale of your personal information to third parties. Note we are not selling your personal information nor planning to sell it.
- the right to know that is materialized by the existence of this policy.

Under certain circumstances, we may ask you for specific information to confirm your identity and ensure the exercise of your rights. This is another appropriate security measure to ensure that personal data is not disclosed to an individual who does not have the right to receive it.

If you have any questions or wish to exercise your rights, you may fill in this [form](#) or directly contact us by sending an email to [privacy@mirakl.com](mailto:privacy@mirakl.com).

If needed, you may also lodge a complaint with your national data protection authority. This right may be exercised at any time and free of charge, at the exclusion of potential postal fees or expenses related to legal representation or assistance should you choose to engage third party assistance for the procedure.

## 8. Changes to this policy & contact

This privacy policy may be amended from time to time, in particular to reflect the changes in the Website or the applicable regulations. Therefore, we recommend you review this privacy policy each time you visit the Website.

Should you have any questions, you may directly contact us by sending an email to [privacy@mirakl.com](mailto:privacy@mirakl.com).