

Privacy Policy

Back Market

European Union and United Kingdom

Last update: November, 2024

JUNG SAS ("**Back Market**" or "**we**") offers a platform whose purpose is to bring together professional sellers and refurbishers with individuals who wish to buy and/or trade in refurbished technological products (the "**Platform**").

At the date of publication of this privacy policy (the "**Policy**"), the Platform is available in the following European countries: France, Germany, Austria, Belgium, Spain, Finland, Greece, Ireland, Italy, the Netherlands, Portugal, United Kingdom, Slovakia and Sweden, via the Backmarket websites under the domain names [.fr], [.de], [.at], [.be], [.es], [.fi], [.gr], [.ie], [.it], [.nl], [.pt], [.co.uk], [.sk], [.se] and the corresponding mobile applications available in some of these countries.

This Policy applies to all European countries in which Back Market operates. It aims to :

- Provide you with information about how we collect and process your Personal Data as a user of the Platform ("**you**" or "**your**"),
- Explain your rights in this regard and how to exercise them.

It is supplemented by our Cookie policy, which is available on the websites and mobile applications operated by Back Market.

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1 WHO IS THE CONTROLLER OF YOUR PERSONAL DATA?

Back Market is the Data Controller in relation to the use of its Platform:

- Company name and legal form of Back Market: Jung SAS
- Registered office: 199 Rue Championnet, 75018 Paris, France
- Trade Register No.: 804 049 476 R.C.S. Paris

Back Market thus defines the purposes and methods of processing your Personal Data.

At Back Market, protecting your privacy is fundamental and we are committed to continually improving our approach to compliance with the General Data Protection Regulation ("GDPR") and any other applicable Personal Data regulations.

2 WHY DO WE USE YOUR PERSONAL DATA AND ON WHAT LEGAL BASIS?

We collect and use your Personal Data for the following primary purposes:

2.1 Use of the services offered on the Platform

Purposes	Legal basis
- Access to and browsing on the Platform	Performance of the contract
- Management of orders placed via the Platform - Management of trade-in offers made via the Platform - After-sales service and customer relations management	Performance of a contract
- Creation of, and connection to, your customer account via Social Login	Consent
- Payment by a buyer in one or more instalments - Payment to an individual for the trade-in of a product	Performance of a contract
- Provision of additional services (insurance)	Performance of a contract

2.2 Marketing and sales activities

Purposes	Legal basis
- Direct marketing and email newsletters	Consent or our legitimate interest in similar products or services
- Displaying personalised content on the Platform based on your browsing habits and profile	Consent

<ul style="list-style-type: none"> - Serving personalised online ads based on your preferences and browsing habits - Personalising, measuring, and improving the distribution and effectiveness of our advertising operations in collaboration with our partners - Creating audiences on certain social networks for marketing purposes 	Consent
- Organising games and contests	Consent
- Student program and sponsoring	Consent
- Segmentation and analysis of our customer database to improve our customer knowledge and adapt our marketing strategies	Legitimate interest

2.3 Improving services

Purposes	Legal basis
<ul style="list-style-type: none"> - Carrying out statistical analyses of the use of our Platform - Analysing your browsing behaviour to improve our services 	Legitimate interest
- Recording of calls, messages and chats with our customer service or sellers for the purposes of training customer service agents or improving our service	Legitimate interest
- Conducting polls and surveys to improve our Platform and services, and collecting and managing feedback and reviews	Consent or our legitimate interest

2.4 Prevention, detection, and fight against fraud and security incidents

Purposes	Legal basis
- Preventing and fighting against fraud	Legitimate interest
- Preventing and managing security incidents and any other illegal activity on our Platform	Legitimate interest

2.5 Managing legal and tax obligations

Purposes	Legal basis
- Pre-litigation and litigation management	Legal obligation and/or our legitimate interest
- Fulfilling our accounting reporting obligations	Legal obligation

- Management of requests sent to our Data Protection Officer in connection with the exercise of your rights regarding your Personal Data	Legal obligation
- Collecting information and reporting to the French tax authorities in relation to the Trade-in Service	Legal obligation

3 WHAT PERSONAL DATA DO WE COLLECT?

o Personal Data collected via the Platform

We collect and process your Personal Data when: you create or modify your account; you place orders or use the Trade-in Service; you interact with our Customer Service; you participate in a game or contest; or you write a review or respond to a customer satisfaction survey.

Your Personal Data may also be collected automatically as a result of your navigation on the Platform, in particular through the use of Cookies, subject to your prior consent to their placement.

Personal Data we may collect are:

- Your last name, first name, e-mail address, phone number, delivery address and billing address,
- Your bank and payment details; however, only the payment service provider will have access to your full payment card details,
- Your order information and history,
- The data relating to your connection and browsing activity on the Platform (in particular IP address, pages and products viewed)
- Data relating to the ads you have viewed,
- Information you provide when participating in promotional operations, polls and surveys, contests, or events
- Your reviews and comments,
- Messages and claims relating to products purchased or sold via the Platform,
- Recording of your calls to our Customer Service, unless you object to it,
- Data from fraud risk detection and analysis results.

If you use our Trade-in Service, we will also collect your date of birth, your nationality, a copy of your ID and your IBAN or bank details, to enable the professional refurbisher and our payment service provider to comply with their legal obligations. If, within the year, you exceed a certain threshold using the Trade-in Service, we may also collect certain additional information on behalf of the tax authorities (in particular: your tax number and country of issue, your bank details (IBAN or equivalent), and the name of the bank account holder).

In the event of a dispute relating to a transaction that has been blocked by our anti-fraud tools, we may collect a copy of your ID and any other supporting documents necessary to assess the situation. In the event of a dispute regarding the delivery or receipt of a product, we may collect additional documents, such as a copy of your ID, proof of address, a complaint filed, an signed declaration of non-receipt, a proof of deposit and/or any other additional evidence necessary for Back Market and its shipping partner to assess the situation.

o Personal Data collected via Social Login

This feature is not available in some of the European countries where we operate. If you choose to create your customer account or connect to our Platform using the Social Login functionality offered by

Facebook, Google, or Apple, they will provide us with your email address, and in some cases your full name, which are required to create your customer account or connect to our Platform.

o **Personal Data collected from other sources**

As part of our fraud prevention efforts, we may access or receive additional information about you from third-party service providers and/or partners, and cross-check it with information we already have about you. For instance, we may receive background check results or fraud alerts from identity or document verification service providers.

4 HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We will store your Personal Data for the following periods:

- For Personal Data collected for **the use of services on the Platform (purchase or trade-in)**: we will keep your Personal Data for 3 years as of the end of your last contact with Back Market;
- For Personal Data collected for **marketing and sales** purposes, we will retain your Personal Data for 3 years from your last contact with Back Market;
- For Personal Data collected for the purpose of **analysing and improving our services**, we will store your Personal Data for a maximum of 3 years from the date we collect them; they will then in pseudonymised form for a maximum of 5 years. Audience measurement statistics and traffic data will be kept for a maximum period of 26 months from the date we collect them, after which time they will be anonymised.
- For Personal Data collected for **fraud prevention and security incidents** purposes, your Personal Data will be retained until the incident is resolved or for a maximum of 3 years.

At the end of the above periods, we may retain your Personal Data for a further period (up to 10 years) to enable us to comply with our legal obligations.

- Some of your Personal Data may be subject to shorter retention periods: Your banking documents (bank details and IBAN) and your ID, which are collected as part of the Trade-in Service will be kept for a maximum of 5 months and phone records with our Customer Service are stored for a maximum of 6 months.

5 WHO DO WE SHARE YOUR PERSONAL DATA WITH?

o **Sellers and professional refurbishers**

The Personal Data required to manage your order or your trade-in offer will be shared with the refurbishers. In the event of a dispute regarding the delivery of a package, we may also need to share some additional documents (complaint, copy of ID, etc.) that you are asked to provide. The refurbishers are the Controllers of the Personal Data transmitted to them.

o **Carriers and logistics partners**

The Personal Data that are necessary for the shipment of the product ordered or traded in will be shared with the carriers and logistics partners in charge of this shipment.

o **Brokers and insurers**

If you take out an insurance policy, some of your Personal Data necessary for the subscription or management of your insurance policy will be shared or collected directly by our brokers and insurance partners.

o **Payment service providers**

Some Personal Data will be transferred or directly collected by our payment service providers (PCI DSS certified), the credit institution if you pay by instalments, or banks.

- o **Sub-contractors and service providers**

Your Personal Data will also be shared with our external service providers, acting on our behalf, such as those involved in customer service management, fraud prevention and detection, analytics and marketing services (including our services providers in charge of carrying out analyses and segmentations, marketing and sales studies) or IT services, e.g., for data storage purposes. We make sure that they offer the necessary safeguards to ensure the security and confidentiality of your Personal Data and that they only have access to the Personal Data necessary to perform their services; they are not authorised to process your Personal Data for any other purpose.

- o **Authorities**

Your Personal Data may be disclosed to the authorities pursuant to a legal or regulatory requirement or a decision by a regulatory or judicial authority.

- o **Social networks and other advertising partners**

For advertising purposes, and subject to your prior acceptance of advertising Cookies, we may share some of your Personal Data with our ad partners to assess the performance of our advertising campaigns. We may also use some of your Personal Data to create personalised audiences or similar for potential customers through the social network advertising platforms of Facebook and Google.

You can withdraw your consent to this Processing of Personal Data at any time by changing your Cookies settings in your customer account.

More information about the Processing carried out by Meta [here](#) and by Google [here](#), [here](#) and [here](#).

6 WILL YOUR PERSONAL DATA BE TRANSFERRED OUTSIDE THE EU OR THE UK?

Our Processing of Personal Data is mainly carried out in Europe.

Back Market may transfer your Personal Data to countries outside the EU, in particular in connection with the following activities: customer service management, the outsourcing of certain IT services and communication via social networks.

We are committed to providing appropriate safeguards for transfers outside the European Union, in accordance with applicable legislation.

In addition, some of the sellers or professional refurbishers operating on our Platform are located outside the EU. If you order a product from a seller located outside the European Union or if you use the Trade-in Service, your Personal Data will be transferred to these recipients located outside the EU.

7 WHAT ARE YOUR RIGHTS REGARDING YOUR PERSONAL DATA ?

- o **Your rights**

You may request **access** to and **rectification** or, where appropriate, **erasure** of your Personal Data. You may also, in certain cases, **object** to the Processing of your Personal Data or request that the Processing be

restricted, subject to the conditions set out in the applicable regulations. You also have the right to **data portability**.

You may also give us specific instructions regarding the fate of your Personal Data after your death (retention, transfer to a designee, deletion).

If you believe that your rights or our obligations are not complied with, you may lodge a complaint with a data protection authority in the country where you usually reside or work, or in France, where our head office is located. For more information about your rights, please visit the website of your data protection authority:

FRANCE	Commission nationale de l'informatique et des libertés (CNIL) Website: https://cnil.fr
GERMANY	Jurisdiction between data protection authorities is allocated by Länder. To find out which authorities are responsible, please see the list provided by the Bundesbeauftragte für den Datenschutz und die Informationsfreiheit. Website: https://www.bfdi.bund.de/DE/Service/Anschriften/Laender/Laender-node.html .
AUSTRIA	Österreichische Datenschutzbehörde. Website: http://www.dsb.gv.at
BELGIUM	Autorité de la protection des données - Gegevensbeschermingsautoriteit (APD-GBA) Websites: https://www.autoriteprotectiondonnees.be https://www.gegevensbeschermingsautoriteit.be
SPAIN	Agencia Española de Protección de Datos (AEPD) Website: https://www.aepd.es/
FINLAND	Office of the Data Protection Ombudsman Website: http://www.tietosuoja.fi/en/
GREECE	Hellenic Data Protection Authority Website: http://www.dpa.gr
IRELAND	Data Protection Commission Website: http://www.dataprotection.ie
ITALY	Garante per la protezione dei dati personali Website: http://www.garanteprivacy.it
NETHERLANDS	Autoriteit Persoonsgegevens Website: https://autoriteitpersoonsgegevens.nl
PORTUGAL	Comissão Nacional de Proteção de Dados (CNPd) Website: http://www.cnpd.pt
UNITED KINGDOM	Information Commissioner's Office (ICO) Website: https://ico.org.uk
SLOVAKIA	Office for Personal Data Protection of the Slovak Republic Website: http://www.dataprotection.gov.sk

SWEDEN	Integritetsskyddsmyndigheten Website: http://www.imy.se
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You can also consult [the list of the data protection authorities with their contact details on the website of the European Data Protection Committee](#).

o How to exercise your rights

You may directly and at any time:

- **delete your Back Market customer account** by accessing the “My Profile” section of your account and clicking on “Delete my account” to start the process. For more information you can also visit the help page accessible under [this link](#).
- **object to the Processing of your Personal Data for direct marketing purposes** by clicking on the “unsubscribe” link in any of our promotional communications, or if you have a customer account, by changing your marketing preferences in the “My Profile” section of your customer account.
- **withdraw your consent to the Processing of your Personal Data** carried out by our services for the purposes of personalising your user experience on our Platform, analysing your browsing activities, and measuring the audience of our Platform and/or for the purposes of personalising our advertising content, by setting your Cookies preferences from the “Cookies” section available at the bottom of our Platform page.
- if you have a customer account, **access and rectify your customer account profile** (login, contact details, billing, and delivery addresses, etc.) from the “My Profile” section of your account.
- when you call us, **object to the recording of the call with our after sale service**.
- if one of your transactions has been blocked by our anti-fraud tools, you may **send your comments to our Customer Service using your customer account**. Our Anti-Fraud Service will then carry out an analysis of the matter.

You may also **exercise your rights and ask us any questions** you may have on the Processing of your Personal Data by writing to us at:

- the following e-mail address accessible under [this link](#) or the following postal address: JUNG SAS, attn: Data Protection Officer, 199 Rue Championnet, 75018 Paris, France
- specifying your full name and the email address used to create your customer account (if you have one)

If we have any reasonable doubt as to your identity, we may ask you to enclose a copy of an official identification document, such as an ID card or passport, in support of your request.

8 POLICY UPDATES

This Privacy Policy may be amended from time to time, in particular to reflect any changes in legislation, regulations, case law or technology.

9 PERSONAL DATA GLOSSARY

Cookie	Means a small computer file, a tracer, that is placed on your device and read, e.g., when you browse a website, open an e-mail, or install or use a software or mobile application, regardless of the type of device used (computer, smartphone, etc.).
Data Protection Officer	Means the person within Back Market whose role is to ensure that Back Market processes your Personal Data in compliance with applicable data protection regulations.
Personal Data	Are information that makes it possible to identify you, whether directly or indirectly by reference to an identifier or from the cross-referencing of a set of data. This may include your first and last name, contact details, customer number, image or voice, or IP address.
Purpose	is the primary purpose for which Personal Data are used. In other words, this is the “why”, the reason why we use your Personal Data.
Data Controller	Means the natural or legal person who determines the Purposes and means of the Processing of your Personal Data, i.e., all operations carried out with them (such as collecting, consulting, or storing them). In other words, this is the person who decides why and how to process your Personal Data.
Processor	Means the natural person or legal entity (company or public body) that processes Personal Data on behalf of the Data Controller as part of a service. Our relationships with our Processors are governed by Processing Agreements that fully comply with applicable legal requirements.
Processing	Means one or more operations carried out on Personal Data, regardless of the process used. This ranges from the mere collection of Personal Data to the use, consultation, transformation, matching, or transfer of Personal Data to a third party.