

EUROPEAN FULFILMENT PLUGIN FOR THIRD-PARTY CMS PRIVACY POLICY

European Fulfilment (« *the App* ») provides importing functionality for fulfilment services (« *the Service* ») to merchants who use third-party CMS such as, but not limited to Shopify and/or Prestashop (“Third-Party CMS”) to power their stores (« *you* »).

This Privacy Policy describes how personal information is collected, used, and shared when you install or use the App in connection with your Third-Party CMS-supported store.

When you install the App, you require Octopia to provide you the Service and you allow us to access certain type of information from your Third-Party CMS account and regarding your customer (“*End Customer(s)*”): some of those information are personal data (“*Personal Data*”).

For Octopia, it is essential to ensure the confidentiality and respect of Personal Data we are processing on your behalf when you are using the App.

We protect your privacy by ensuring the protection, confidentiality, non-alteration, availability and security of the Personal Data you entrust to us through all our communication channels.

We make every effort to (i) provide you with clear and transparent information about how Personal Data will be processed, (ii) apply the technical and organisational measures necessary to protect Personal Data in accordance with applicable personal data protection law, (iii) retain Personal Data only for the time necessary for the purposes of the processing determined.

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1. WHAT PERSONAL DATA IS COLLECTED ?

When you install the App, you require Octopia to provide you the Service and you allow us to access certain type of information from your Third-Party CMS account and regarding your End Customers: some of those information are personal data (“*Personal Data*”).

1.1 Merchant’s information

When you install the App and use the Service, we are automatically able to access certain types of information from your Third-Party CMS account:

- **Identity information** - this is the information we use to ensure that you are who you say you are, including : company name, information about executive team (first name, last name, e-mail address, telephone number, etc), etc.
- **Contact information** - this is the information we use for commercial prospecting purposes. This includes for example: telephone number, postal address, e-mail address, etc.
- **Financial information** - this is the information necessary to pay for our Service. This includes for example: your bank details (credit card, Paypal account, RIB,...), your payment institution, etc.

1.2 End Customers’ Personal Data

When you install the App and use the Service, you are sending to us and requiring us to access and process, in order to provide you the Service, Personal Data about your End Customers:

- **Identity information and Contact information** - this is the information about your End Customers required to provide the Service of shipping of orders to your End Customers: first name, last name, address, e-mail address, telephone number, etc.
- **Contact information** - this is the information we use for commercial prospecting purposes. This includes for example: telephone number, postal address, e-mail address, etc.

2. WHY DO WE PROCESS PERSONAL DATA?

We use information and Personal Data we collect from you and your customers in order to provide the Service and operate the App.

2.1 Merchant’s information

We process your Merchant’s information as a Data controller for the following processing operations:

N° / REF	Principal purpose	Legal basis	Recipient
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Data processing n°1	Merchant Quality Control	Performance of the contract / Legitimate interest	<u>Intern Recipient</u> <u>Extern Recipient:</u> - Service providers specialized in the management of Merchants' accounts
Data processing n°2	Anti-fraud management	Legitimate interest	<u>Intern Recipient</u>
Data processing n°3	Management of the European Fulfilment service	Performance of the contract	<u>Intern Recipient</u> <u>Extern Recipient:</u> - Service providers specialising in the transport and management of warehouses
Data processing n°4	Administrative and accounting management of Merchant accounts	Performance of the contract	<u>Intern Recipient</u>
Data processing n°6	Management of Merchant request and exchanges with Merchant	Performance of the contract / Compliance with legal obligation	<u>Intern Recipient</u> <u>Extern Recipient:</u> - Service providers specialising in customer relationship management
Data processing n°7	Management of prospecting prospective Merchants and of the relationship with prospective Merchants	Legitimate interest	<u>Intern Recipient</u> <u>Extern Recipient:</u> - Service providers specialized in marketing campaign management - Service providers specialized in the management of Merchants' accounts - Service providers specialized in software publishing for collecting customer orders and printing transport labels - Service providers specialising in currency management - Service providers specialising in market analysis
Data processing n°8	Write reports on the activity of the Sellers	Performance of the contract	<u>Intern Recipient</u>

2.2 End Customers' Personal Data

We process your End Customers' Personal Data as a Data Processor (as you are Data Controller) for the following processing operations:

N° / REF	Principal purpose	Legal basis	Recipient
Data processing n°1	Management, follow-up and shipping of End Customers' orders	Performance of the contract	<u>Intern Recipient :</u> <u>Extern Recipient :</u> - Service providers specialising in product integration - IT service provider and hosting - Service providers specialising in the transport and management of warehouses
Data processing n°2	Legal and regulatory provisions	Legal obligation	

It is your responsibility, as Data Processor, to inform, through an adequate privacy policy, your End Customers about processing of their Personal Data, purposes of processing, recipient of their Personal Data, duration of processing, etc.

3. ARE DATA TRANSFERRED OUTSIDE THE EUROPEAN UNION?

As a general rule, we store Data within the European Union.

Exceptionally, Personal Data may be transferred outside the European Union by our service providers.

In such a case, we ensure that this transfer is carried out in accordance with the applicable regulations and guarantees an adequate level of protection of your privacy and fundamental rights (in particular by using standard contractual clauses of the European Commission, the model of which you can find by clicking on this link <https://www.cnil.fr/fr/les-clauses-contractuelles-types-de-la-commision-europeenne>).

Upon simple request to our Data Protection Officer, we can provide you with more information about these transfers.

The Third-Party CMS may transfer Personal Data outside the European Union. For any further information, please refer to the Third-Party CMS Privacy Policy.

4. HOW LONG DO WE KEEP PERSONAL DATA ?

4.1 Merchant’s information

We keep your Personal Data to allow you to use the Service and App on a continuous basis, for as long as necessary to carry out the processing operations referred to in paragraph 2 above and to comply with legal requirements.

Typology of purpose	Retention period (active archive)	Retention period (intermediate archive)
Purpose related to Prospects	Until objection, or 3 years from collect or last contact with Prospect	No intermediate archive – deletion
Purpose related to Merchant	During all commercial relationship	5 years from the end of commercial relationship
Purpose related to accounting management	2 years starting from edition	8 years

4.2 End Customers’ Personal Data

Typology of purpose	Retention period
Purpose related to End Customers’ Personal Data	Legal retention period - maximum 5 years starting from execution of prestation

You are Data Controller regarding End Customers’ Personal Data retention period.

5. HOW TO EXERCISE YOUR RIGHTS ?

5.3 Merchant's information

For requests that reach the Data Protection Officer by email or post, please indicate the email address attached to your Merchant account (or use it in the case of an email) as well as your full name, company name. In the event that you are unable to find the e-mail address attached to your Merchant account or in the event of serious doubts about your identity, additional information relating to your identity may be requested from you in accordance with Article 12 of the GDPR.

We will send you a reply within a maximum of one (1) month following the date of receipt of your request. This period may be extended by two (2) additional months depending on the complexity and number of requests.

For the sake of transparency and simplicity, you will find below a table summarizing your rights according to the different processing operations.

Your rights	Conditions	Data processing concerned
Right of access	-	All processing of personal data
Right to rectification	It is important to note that this right only applies if: - the personal data are no longer necessary for the purposes for which they were collected or otherwise processed; - you wish to object to the processing and there are no legitimate compelling reasons for the processing or if it is a processing operation carried out for the purpose of commercial prospecting; - the personal data have been unlawfully processed.	All processing of personal data
Right to restriction of processing	It is important to note that this right only applies if: - you dispute the accuracy of your Data for the duration of time allowing us to verify the accuracy of the same, - you consider that we are processing your Data unlawfully and that you require that their use be limited rather than deleted, - we no longer need your Data for the purposes referred to in paragraph 2 but that they are still necessary for the establishment, exercise or defense of your legal rights, - in the event that you exercise your right to object during the period of verification as to whether the legitimate grounds we are pursuing prevail over yours.	Processing operations based on the performance of the contract, your consent or our legitimate interest.

Right to erasure	In the event of a request to delete your Data, Octopia may nevertheless keep it in the form of an intermediate archive, for the time necessary to satisfy its legal, accounting and tax obligations.	Processing operations based on the performance of the contract, your consent or our legitimate interest.
Right to object	-	Processing operations based on our legitimate interest.
Right to data portability	-	Processing operations based on your consent or the execution of the contract.
The right of complaint	You can, at any time, file a complaint with the competent supervisory authority.	All processing of personal data

5.4 End Customers' Personal Data

As Data Controller, and in accordance with the European Fulfilment Terms, you are responsible for the exercise of End Customers rights and to answer to it.

If Octopia receives an exercise of right of an End Customer, Octopia will forward you this exercise of right so that you can answer it.

6. OCTOPIA'S DPO

MAAS, trade name Octopia (hereinafter "Octopia") is a simplified joint-stock company with a share capital of €10,000, registered in the Saint-Etienne Trade and Companies Register under number 880 150 289, represented by Mr Emmanuel Grenier, in his capacity as Chairman and whose registered office is located at 1 cours Antoine Guichard, 42 000 Saint-Etienne.

Octopia's DPO ensures the conformity of the processing of Personal Data carried out by Octopia. You can contact him:

- or by email sent to dpo@octopia.com
- or by post addressed to Octopia, Personal Data Protection Officer, 120-126 quai de Bacalan 33000 BORDEAUX.

7. SECURITY MEASURES

We undertake to implement appropriate technical and organisational measures to guarantee a level of security appropriate to the risk to the rights and freedoms of natural persons in the context of the processing operations referred to above.

These measures shall be defined taking into account the state of knowledge, the costs of implementation and the nature, scope, context and purposes of the processing operation as well as the risks identified.

8. COOKIE MANAGEMENT

This section is dedicated to our cookie management policy on the App. It allows you to learn more about the origin and use of the navigation information processed during your consultation of the App and your rights.

8.1 What is a cookie ?

A cookie is a text file that is placed on your computer’s hard drive, subject to permission requested, by websites which are browsed. Cookies are used to make website work more efficiently. Some cookies are necessary for a better functioning of websites/apps. Other cookies can be used to identify the website users and improve the website/app depending on Website Users’ browsing.

Cookies cannot give access to information about you that you do not want to share. Cookies have a limited lifetime and are deleted by browsers once the retention period has expired. Only the issuer of cookies is able to read or modify information contained in the cookies.

8.2 Type and purposes of cookies

Different types of cookies are used regarding the purposes pursued. The main courrant type of cookies are :

Cookies strictly necessary to the use and functioning of the website/App (or « essential cookies »)	These cookies are necessary to the functioning of the website/App and its features, exempt from obtaining consent.
« Audience measurement » cookies	These cookies are used (i) to measure the audience of the website/app or (ii) to test different versions in order to optimize editorial choices according to their respective performances. Some of these cookies might be considered as « essential cookies » and thus exempted from the collection of consent.

8.3 Liabilities regarding cookies

- **Cookies issued by Octopia and/or Octopia’s subcontractors**

Octopia is responsible for the issuance and use of cookies on the App/website. Certain types of cookies (« essential » or « audience measurement » cookies) are exempt from consent.

- **Cookies issued by third-parties**

The issuance and use of cookies by third parties on the App/website are subject to the privacy policies of these parties. These cookies are not necessary for browsing the App/website.

The Tird-party CMS may use some cookies. For any further information, please refer to the adequate Third-Party CMS Privacy Policy.

8.4 Management of cookie's deposit

In accordance with directive 2002/58/CE of July 12, 2002, Octopia collects your prior consent to the deposit of cookies, except for "essential" and some "audience measurement" cookies.

- **Browsing settings**

The settings of each browser software are different: please refer to the menu of your browser software for further explanation and appropriate settings.

Internet Explorer™	http://windows.microsoft.com/fr-FR/windows-vista/Block-or-allow-cookies
Safari™	https://support.apple.com/kb/PH19214?locale=fr_FR&viewlocale=fr_FR
Chrome™	http://support.google.com/chrome/bin/answer.py?hl=fr&hlrm=en&answer=95647
Firefox™	http://support.mozilla.org/fr/kb/Activer%20et%20d%C3%A9sactiver%20les%20cookies
Opera™	http://help.opera.com/Windows/10.20/fr/cookies.html

Warning: Any setting of your browser software regarding the acceptance or refusal of cookies may affect your Internet experience and access to certain services requiring the use of cookies. If you choose to refuse cookies in your terminal or if you delete cookies recorded in your terminal, OCTOPIA cannot undertake any liability regarding the consequences related to degraded functioning of the services.

- **Smartphone settings**

IOS	https://support.apple.com/fr-fr/HT201265
Android	https://support.google.com/chrome/topic/3434352

- **Management cookies tool**

The information banner relating to cookies, which appears at your first connection to the App/website, informs you of the use of cookies. Octopia uses a consent management platform which allow the Website Users to configure their choices regarding deposit of cookies.

To access to the list of cookies used and configure your choices, please click on the consent management platform of the App/website.

- **Opposition list to cookies' deposit**

In order to block the collect and use of information about you by advertising companies that display personalized advertising, you can access to the following sites :

- NAI : <http://www.networkadvertising.org/choices/>
- EDAA <http://www.youronlinechoices.com/>
- DAA : <http://optout.aboutads.info/?c=2&lang=EN>

9. REVIEW AND UPDATE OF THE POLICY

This policy will be updated as necessary to meet the requirements of applicable data protection regulations. It shall be reviewed at least every three (3) years.

The 3rd May 2021

Validated by Octopia DPO

GLOSSARY

For a proper understanding of this privacy policy, here are some key concepts:

Cookies : A cookie is a small text file placed on the user's hard drive by the server of the visited site or by a third party server, it contains information about the navigation performed on this site.

Personal data : Any information that directly or indirectly identifies a natural person (for example, name, e-mail address, billing information, telephone number, date of birth).

Right of access : You have the right to ask us to confirm whether or not personal data concerning you are being processed and, if so, to access such data and:

- the reasons why we hold your personal data;
- the categories of data we hold;
- our use of your personal data;
- who has access to your personal data (and their location);
- where your personal data may be transferred;
- the length of time we keep your personal data;
- if you have not provided us with your personal data directly, how we obtained it;
- your rights under applicable laws and the possibility of limiting processing;
- the possibility of lodging a complaint with the competent supervisory authority; if we use your personal data for any automatic decision-making and how we proceed.

Right to erase : You have the right to ask us to delete any personal data concerning you.

Right to Limitation : You have the right to ask an organization to temporarily freeze the use of some of your Data, particularly during the examination of your request to exercise another right.

Right of objection : You may at any time object to the use of some of your Data by an organization by stating reasons related to your particular situation.

Right to portability : You may request the communication of part of the Data you have provided us in a machine-readable format but also the transmission of this Data to a third party of your choice.

Right of rectification : You may request the rectification of inaccurate or incomplete information about yourself (e.g. an incorrect address).

Purpose : The purpose refers to the main purpose pursued when processing your Personal Data. Your Personal Data is used for specific, explicit and legitimate purposes.

Basis of the treatment : To process your Personal Data Octopia has the following legal bases :

- **Contract performance** : we process your Personal Data when it is necessary for the performance of the contract concluded with you or for the performance of pre-contractual measures taken at your request.

- **Compliance with a legal obligation** : the processing of your Data may be imposed on us by the legislator.
- **Our legitimate interest** : the processing of your Data may be necessary to pursue our legitimate interest, including ensuring that the sales experience is improved and that our business prospers.

Person concerned : This privacy policy applies to you if you are :

- European Fulfilment Merchant, i.e. the person who has created an account on the European Fulfilment platform and uses the Service and the App,
- prospect seller of European Fulfilment i.e. not having created an account on the European Fulfilment Platform.

Data controller : this is the natural or legal person, public authority, department or other body which, alone or jointly with others, determines the purposes and means of the processing.

Processing : any operation or set of operations performed or not performed using automated processes and applied to Personal Data, such as collection, recording, organization, structuring, storage, adaptation or modification, extraction, consultation, use, communication by transmission, dissemination or any other form of making available, matching or interconnection, limitation, deletion or destruction.

Transfer of Personal Data : Any communication, copy or movement of Personal Data intended for processing in a third country