

# ONEBIP SERVICE'S PRIVACY POLICY

## **1. INTRODUCTION**

In its quality as data controller, NEOMOBILE S.p.A. (hereinafter, "NEOMOBILE", the "Company", "we", "us", "our"), with registered offices in Viale Pasteur 78, Rome publishes this privacy policy regarding the Onebip Service (hereinafter, the "Service"), pursuant to legislative decree No. 196/2003 – "Italian Personal Data Protection Code" (hereinafter, the "Code"). This Privacy Policy is incorporated into, as well as subject to the Onebip Terms of Use, available at <http://corporate.onebip.com/docs/user-terms-conditions.pdf>. Any capitalized terms used and not defined herein shall have the meaning given to them in such Terms of Use.

The Company has appointed Alessandro Leone (CFO) as data processor.

## **2. WHAT IS "PERSONAL DATA"?**

According to section 4(1)(b) of the Code, the term "personal data" means "any information relating to natural persons that are or can be identified, even indirectly, by reference to any other information including a personal identification number". When you use the Service or functionalities thereof through third-party websites (as described in point 3.2. of the Terms of Use), we process personal data of yours such as your mobile phone number, in association with the digital content you acquire. Moreover, we process the personal data that you submit to us when you register to or use the Service.

## **3. WHY AND HOW DO WE PROCESS YOUR PERSONAL DATA?**

We process your personal data in order to provide you with the Service described in the Terms of Use and/or in the Merchant Agreement, as applicable, and to carry out any and all activities connected with such Service or functionalities thereof (such as, for example, customer care services). We may also process your personal data for other purposes expressly set forth by applicable legislation, and to comply with requests we receive from any competent authorities. In particular, we process your personal data in order to:

- Provide you with the Service or functionalities you requested when registering with, or when using Onebip through third-party websites;
- Monitor, track and record data regarding all relevant transactions, so as to allow the delivery and billing of the contents;
- Verify the accuracy of your personal data, including the verification of whether you are of the age required for registering to the Service;
- Prevent and identify possible fraudulent behavior;
- Manage administrative and contractual aspects of your relationship with us;
- Provide you with any necessary technical or customer support service;
- Manage any possible complaints or litigation;
- Use personal data in order to make any communications regarding the digital content you acquire and the contractual relationship between you and us.

We process your personal data mostly by electronic means, although it is possible that some of your personal data may be processed in hard copy documents (such as, for example, invoices).

## **4. DO YOU HAVE TO SUBMIT YOUR PERSONAL DATA TO US? WHAT IF YOU DECIDE NOT TO?**

Your submission of personal data for the purposes described in Section 4 above is not mandatory. However, if you do not provide us with the personal data requested, we will not be able to provide you with the Service or any functionality thereof.

## **5. CAN WE USE YOUR PERSONAL DATA FOR MARKETING PURPOSES?**

On the terms of Section 130(4) of the Code, we may use your e-mail address (if you provide it to us), to send you information and marketing material, including newsletters, which regard exclusively our services or functionalities which are similar to the Service or functionalities of Service you have used and/or registered to use with Onebip. We will always give you the opportunity to oppose to receive such materials, at any time, and without any costs ("Opt-Out"). If you decide to Opt-Out, you will only have to communicate that choice to us, using the contacts provided in Section 7 below. Such choice will have no consequences whatsoever in your use of the Services or any functionality thereof. We do not serve you with any other marketing or commercial communications which do not regard services or functionalities similar to those you already use, nor do we send you any type of marketing or commercial communication through means other than your e-mail (such as your postal address, fax or phone), without asking for your express consent in advance ("Opt-in").

Any communications sent to you for marketing purposes shall in all aspects comply with legislative decree no. 70 of 9 April 2003 as amended.

## **6. TO WHOM CAN WE COMMUNICATE YOUR PERSONAL DATA?**

We limit access to your personal data by our own employees to individuals who are authorized for the proper processing of such data and any employee found violating our standards of security and confidentiality will be subject to our disciplinary processes.

Your personal data may be communicated to third parties – also outside the European Union – who carry out activities which are ancillary and instrumental to those of NEOMOBILE. In particular, and exclusively for the purposes described in Section 3 above, your personal data may be communicated to:

- Companies which render services of customer support on our behalf, or which provide us with services (e.g., technical services) necessary for us to provide you with our services;
- Companies which provide the digital content you acquire through the Service or functionalities thereof, mostly for delivery, invoicing and customer support purposes;
- Your mobile phone operator and/or internet access provider, for invoicing and customer support purposes;

Furthermore, we may make your personal data available to other third parties in the following limited circumstances:

- When requested to do so by a governmental agency, court or other entity;
- Within the scope of defensive actions; or
- In the event of a bankruptcy, merger, acquisition, transfer of control, joint venture or other business combination involving us.

Your Personal Data will not be disseminated.

#### **7. WHAT ARE YOUR RIGHTS REGARDING OUR PROCESSING OF YOUR PERSONAL DATA?**

According to Section 7 of the Code, you are entitled to obtain confirmation of whether we have collected any of your personal data. Moreover, in accordance with the same Section, it is your right to:

- Know the origin of the personal data and to obtain the updating, rectification or, where interested therein, integration of your Personal Data, obtain the erasure, anonymization or blocking of personal data that have been processed unlawfully, including personal data whose retention is unnecessary for the purposes for which they have been collected or subsequently processed;
- Obtain certification as to the fact that the operations set out in the previous points have been notified, as also related to their contents, to the entities to whom or which the data were communicated or disseminated, unless this requirement proves impossible or involves a manifestly disproportionate effort compared with the right that is to be protected;
- object, in whole or in part, to the processing of your personal data, for legitimate reasons; moreover, you may freely oppose to the processing of your Personal Information for marketing purposes as per Section 6 above.

You may exercise any of these rights by contacting us via e-mail at [legal@neomobile.com](mailto:legal@neomobile.com) or by registered mail with A/R to a Casella Postale 10742-Roma Eur. Viale Beethoven 36 - 00144 (Roma).

#### **8. USE OF "COOKIES"**

We do not use any cookies which enable us to register, track and/or access any information and/or data regarding your navigation habits or the use you make of the Service. The only cookies we use are cookies which enable us to remember your personal data so that you don't have to re-enter it every time you access the Website, and cookies which allow us to remember the credentials you use in order to access the website – username and password – which will only be used if you expressly request us to remember such information for you, by clicking the "remember me" box when you register and/or log-in. The cookies described above are, on the terms and for the effects of Legislative Decree no. 69/2012, necessary for us to provide you with services that you request.

#### **9. GOVERNING LAW**

By accessing the Website or using the Service, you agree that the Italian Law will apply to all matters relating to the use of both the Website and the Service, and to submit to the jurisdiction and venue of the Courts of Rome with respect to any dispute, claim or controversy arising out of or relating in any way to the use of the Website or the Service.