BENDING SPOONS

Version 03_2022

PRIVACY AND COOKIE POLICY

This Privacy and Cookie Policy (“Policy”) applies to the processing of your personal data by Bending Spoons S.p.A. ("Bending Spoons", "we" or "us") through “dawnai.app” (“Website”) in accordance with Regulation (EU) 2016/679 – General Data Protection Regulation (“GDPR”), the Italian Legislative Decree 196/2003 (as amended), Directive 2002/58/EC – ePrivacy Directive (as amended), and other applicable local laws ("Data Protection Laws").

1. Data Controller and Data Protection Officer

The Data Controller is Bending Spoons S.p.A., based in Corso Como 15, Milan, MI 20154 (Italy), VAT 08931860962. For any requests regarding the processing of your personal data, please email us at privacy@bendingspoons.com.

Our Data Protection Officer can be contacted for any requests relating to the processing of your personal data or this Policy by sending an email to dpo@bendingspoons.com.

2. Categories of personal data that we collect, purposes and legal bases for our processing

We process the following categories of personal data, for the purposes and on the legal bases indicated below. Please note that not all the below information may be deemed personal data in your jurisdiction in all cases.

Purpose	Legal basis	Categories of processed data
a. To enable you to use our Website and to provide you with information about it, and to process any requests you send to us when you contact us.	Processing is necessary to take steps at your request prior to entering into a contract or for the performance of a contract to which you are party (art. 6(1)(b) of the GDPR).	Identification and contact information (such as name and email address), ID and technical information on your device, your web browser details, and your IP address, and similar technologies, and other information you provide us through our Website, for example, when you submit a request for information or when you contact our customer support.
b. To comply with our legal obligations and any other obligations arising out of the instructions received from the authorities.	Compliance with a legal obligation to which we are subject (art. 6(1)(c) of the GDPR).	Any information necessary to ensure the performance of these purposes.
c. To establish, exercise or defend our rights and those of our employees, and to carry out corporate transactions or operations (for example, in case of bankruptcy, merger,	The legal basis for the processing is our legitimate interest (art. 6(1)(f) of the GDPR) to establish, exercise or defend our rights and to carry out corporate transactions or operations.	Any information necessary to ensure the performance of these purposes.

Purpose	Legal basis	Categories of processed data
acquisition, reorganization, sale of assets or assignments, and due diligence related to any such transactions).		

To know how we process your personal data through the use of cookies and similar technologies, see Section 8 (Cookies) below.

3. Data Retention

We retain data collected through the use of our website for as long as necessary to carry out the purposes indicated above and in accordance with applicable laws. To know how long your data is stored through cookies and similar technologies, see Section 8 (Cookies) below.

4. Your Choices

Providing navigation data is necessary if you want to navigate and interact with our Website. Same goes for the information you share with us when you contact us to request information or support. You can freely decide whether to accept cookies and other tracking technologies not strictly necessary for the functioning of the Website as indicated in Section 8 (Cookies) below.

5. Sharing Your Personal Data

We may share or disclose your personal data to the following categories of recipients:

- subjects carrying out activities that are related or instrumental to our business and operational activities as outsourced data processors appointed in writing in accordance with Data Protection Laws, or acting as autonomous data controllers (such as IT or storage service providers, mobile measurement partners, suppliers of mobile marketing services, and advertising networks and platforms);
- public, judicial or police authorities, within the limits established by applicable laws;
- in the event that we undertake extraordinary corporate transactions or operations (e.g., in the event of bankruptcy, mergers and acquisitions, reorganizations, sale of businesses or assets, and in connection with due diligence relating to such transactions), our advisors and potential purchasers and your personal data may form part of the assets being transferred to a new owner.

Personal data will not be disclosed for any reason other than those stated above, unless such disclosure is deemed necessary for the fulfillment of a legal obligation or if we request your consent.

6. Transfer Your Personal Data outside the European Economic Area

We may transfer your personal data from the European Economic Area (“EEA”) to other countries outside the EEA (e.g. if your personal data is collected by third parties when you accept – where appropriate – third-party cookies and/or similar technologies, who may be located outside the EEA).
Such data transfers are based on appropriate safeguards in accordance with Data Protection Laws, including (a) the standard contractual clauses developed by the European

Commission; (b) the decisions of adequacy of the European Commission; or (c) Binding Corporate Rules.

More information on the relevant data transfers, and appropriate warranties is available for consultation by sending an email to privacy@bendingspoons.com.

7. Your Rights

At any time and free of charge, you can exercise the following rights, as specified and subject to certain limitations and exceptions under Data Protection Laws:

- Right of access. You have the right to obtain information about the processing of your personal data and to access it.
- Right to rectification. You have the right to ask for the updating, rectification or integration of your personal data.
- Right to erasure. You have the right to request the deletion of your personal data.
- Right to restriction of processing. You have the right to request the restriction of the processing of your personal data.
- Right to data portability. You have the right to obtain a portable electronic copy of your personal data.
- Right to object. Where we rely on our legitimate interest to process your personal data, you have the right to object to such processing, wholly or partly, on grounds related to your particular situation. In particular, you are entitled to object to the processing of your personal data for direct marketing purposes, including profiling.
- Right to withdraw your consent. Where we rely on your consent to process your personal data, you have the right to withdraw your consent, although the processing carried out before your withdrawal of consent will remain valid.

You also have the right to lodge a complaint before the competent national Data Protection Authority, in particular before the Data Protection Authority of the Member State of your habitual residence, place of work or place of the alleged infringement.

To exercise your rights, or if you have any other questions about privacy or data protection at Bending Spoons, you can contact us by sending an email to privacy@bendingspoons.com. We may take reasonable steps to verify your identity prior to responding to your request.

8. Cookies

What are cookies and tracking technologies?

When we use the word “cookies” in this Policy, we mean any tracking technology that stores or accesses information on the user’s device, including any SDK, tracking pixel, HTML5 local storage, local shared object, and fingerprinting technique.

Cookies are usually classified:
(A) by purpose (Technical cookies, Analytics cookies, Profiling cookies);
(B) by publisher (First-party cookies, Third-party cookies); and
(C) by duration (Session cookies, Permanent cookies).

This classification is important because different legal requirements apply based on how the cookie is classified.

Below you will find the types of cookies and tracking technologies as classified with some practical examples.

A. By purpose

Technical cookies
Technical cookies are used solely for the purpose of transmitting messages over an electronic communication network, or to provide a service specifically requested by the user.

In other words, technical cookies are essential for the correct functioning of the website and to provide the service offered to and requested by the user.

For example, technical cookies can be used to monitor sessions, to store specific server access information related to the user configuration, to facilitate the use of online content, or to keep track of items in a shopping cart or information used to fill in a form.

Technical cookies include the functional cookies you might find mentioned while browsing the Website.

Technical cookies do not need your consent.

Analytics cookies
Analytics cookies may be used to assess the effectiveness of an information society service provided by a publisher, to evaluate and improve the design of a website or to help measure its traffic.

In other words, analytics cookies may be used to track the traffic and performance of a website, by collecting aggregate data on the number of visitors and how they interact with the website to improve its services.

For example, analytics cookies may collect information about how users access a website, including the number of visitors, possibly grouped by geographical area, time slot, how long visitors stay on the site for, what parts of the site they visit or other characteristics, the number of pages visited or the number of users who viewed a particular section.

Please consider that if analytics cookies are properly anonymized, they can be installed without your previous explicit consent.

Profiling cookies
Profiling cookies may be used to trace specific actions or recurring behavioral patterns in the use of the offered functionalities back to specific, identified or identifiable individuals for the purpose of grouping the different profiles within homogeneous, multi-sized clusters. This is aimed in turn to enable a company to provide increasingly customized services beyond what is strictly necessary for the delivery of the service and also send targeted advertising messages in line with the preferences expressed by the user during their web-browsing activities.

In other words, profiling cookies may be used to convey behavioral advertising, measure the effectiveness of ads, or to customize the services offered in line with the user's monitored behavior.

For example, profiling cookies can be used to create user profiles and offer content in line with the user's interests, or to send targeted ads or messages.

Profiling cookies include the performance, marketing and social media cookies you might find mentioned while browsing the Website.

Profiling cookies need your explicit consent.

B. By publisher

First-party cookies
Cookies are installed directly by the website that the user is browsing. In other words, the publisher of the website installs the cookies directly without using any third-party publishers and processes the information thereby acquired.

Third-party cookies
Third-party cookies are set by external providers other than those of the website that the user is browsing. In other words, the publisher of the website installs the cookies indirectly, using third-party publishers and processes the information thereby acquired.

For the purposes of this Policy, third party cookies include any tracker which, although directly published by us, is provided by third parties which receive or otherwise process for their own purposes the information acquired through these cookies when you visit the Website. For further information, please refer to the privacy policy of such third party as indicated in the cookie table.

The data collected by these third parties is governed by their own specific privacy policies, terms and conditions, or cookie policies to which we have no control over.

When our website hosts third-party non-anonymized analytics cookies and/or profiling cookies, you will be asked to consent to such third-party cookies when landing on our websites for the first time, via a specific cookie banner.

You can manage and delete these third-party cookies at any time by accessing the privacy policies of the third parties as indicated in the following section ("*Types of cookies used by the Website*").

C. By duration

Session cookies
Session cookies expire when the user's browsing session expires.

Permanent cookies
Permanent cookies last longer than a single browsing session.

Types of cookies used by the Website
This Website installs the following types of cookies:

Provider (i.e., first party or third-party)	**Name**	**Retention period**	**Purpose**	**Third-party Privacy Policy (where appropriate)**
Google	ga	From session up to two years	Analytics	http://policies.google.com/privacy

Cookie settings
You can also disable (in whole or in part) technical cookies through the specific functions of your browser. Please note, however, that if you don't allow technical cookies, you may not be able to use the Website, view its contents and take advantage of its services. Inhibiting technical cookies may result in some services or features of the Website not being available or not working properly and you may be required to modify or manually enter certain information or preferences each time you visit the Website.

The choices you make with respect to the Website's cookies will be recorded in a cookie. However, in some circumstances this cookie may not work properly: in such cases, we recommend that you delete the cookies you do not like and inhibit their use through the features of your browser.

Your cookie preferences will need to be reset if you use different devices or browsers to access the Website.

You can find information on how to manage cookie settings on certain browsers via the following links:

- Chrome
- Firefox
- Internet Explorer
- Safari

For more information about how to limit the use of third-party cookies installed in your browser, please visit www.youronlinechoices.com. Once arrived on the website, by accessing the "Your ad choices" section, you will be able to view the list of third parties that install cookies on your browser and manage your consent granularly ("On/Off"). Moreover, by expanding the "Info" section, you will be able to access to more information about each third party and its privacy and cookie policies.

With regards to your rights under applicable Data Protection Laws, please refer to Section 7 above.

9. Changes

We may modify or update this Policy, also in view of future changes in applicable Data Protection Laws or in case we implement new features or functionalities that will process personal data.

Last updated: 04/01/2023

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