

# Bigger Picture

## THE WAY WE PROCESS YOUR PERSONAL DATA

### PRIVACY POLICY

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*Last Privacy Policy update: 27 December 2023.*

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When you contact us, make use of our services or act in the name of our contractor or customer, or when we receive your personal data from other sources (e.g. when your data are disclosed to us as contact details for the purposes of performing contracts), we begin to process your personal data. We treat all information concerning you in a responsible way and in accordance with the provisions of law, in particular with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, hereinafter the "GDPR").

This text explains who we are, how we obtain information and what we do with it in business, commercial and marketing relations as well as when we are contacted. If anything seems incomprehensible to you or raises your doubts, please contact us.

#### I. Glossary — basic terms

**Personal data** — any information concerning you that we process. It includes, among other things, name, surname, e-mail address and payment data.

**Processing** — any steps we take concerning your personal data. It includes, among other things, collection, storage, updating, sending system messages to you, analysis to make out a bill and erasure.

**Customer** — a person who has entered into a service contract with us.

**User** — a person using the services on behalf of and under the authorization of the Customer.

**Contractor** — a natural person running the business activity, a legal person or another organizational unit with whom/which Controller establishes business cooperation.

**Representative** — a body member, representing person or attorney of a Contractor / Customer.

**Contact person** — any natural person who contacts Controller's employees and representatives or attorneys to establish or carry out business cooperation.

**Controller** — JIGGY Sp. z o.o. entered into the Register of Entrepreneurs of the National Court Register kept by the District Court in Wrocław, VI Commercial Division of the National Court Register, under KRS number 0001051115, NIP (tax ID) number 8943216835, with a share capital of PLN 5.000 paid in full; email address support@biggerpicture.software; website: biggerpicture.software.

#### II. YOU ARE THE REPRESENTATIVE OR CONTACT PERSON OF A CONTRACTOR / CUSTOMER: which personal data do we collect and what are the purposes of and legal grounds for our actions?

**Your personal data may be** obtained from you directly or from our Contractor / Customer as part of cooperation with Controller.

The scope of data that we process includes first and foremost the following data categories:

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- identification data, including name, surname and taxpayer identification number (NIP);
- place of work, position, department and professional qualifications;
- contact details (e.g. telephone number, e-mail address);
- other data provided by a Contractor / Customer or directly by you in connection with the entering into or performance of a contract.

Provision of the above personal data is usually necessary to enter into and perform a contract with Controller. If those data are not provided, it shall be impossible to enter into the contract or take steps in connection with its performance.

**We may process the above information in order to** enter into and perform a contract, and to fulfill the obligations imposed by the provisions of law.

**The legal ground** for such processing is the necessity for the performance of a contract (Article 6(1)(b) of the GDPR), our legitimate interest as a party to the contract (Article 6(1)(f) of the GDPR) and our legal obligation (Article 6(1)(c) of the GDPR) respectively.

Sometimes your data are also processed for archiving (evidence) **purposes** and for the establishment, exercise or defense of claims. In such case, the **legal ground** for the processing of your data is our legitimate interest (Article 6(1)(f) of the GDPR).

Where your data are processed on the grounds of the Controller's legitimate interest, you have the right to object to such processing.

### III. WE CONTACT EACH OTHER: which personal data do we collect and what are the purposes of and legal grounds for our actions?

The scope of data that we process depends on which information we receive from you or, for instance, your employer, on the form of contacting us that you choose, and on the category of information necessary for our relationship. The scope includes first and foremost the content of documents and messages/communication as well as other information we may obtain from publicly available sources in connection with our business relationship (e.g. industry websites).

Those are in particular:

- identification data, including name and surname;
- place of work, position or department, and professional qualifications;
- contact details, including correspondence address, telephone number and e-mail address, or other details.

Thus, we obtain the above information from you directly, from other persons, e.g. your employers/principals, or from publicly available sources.

When you use our **e-mail addresses or electronic communication / support systems** (if implemented), we process your identification data (e.g. telephone number, e-mail address or IP address, respectively), the communication metadata (e.g. date of contact) and the content of messages (e.g. e-mail message content or a telephone conversation transcript provided that you are informed about it in advance). **We process the above information in order to** answer your questions, streamline our communication, improve customer service as well as market our services and enter into a relevant service contract with you.

**The legal ground** for those steps depends on the communication context. For general inquiries or conversations, the ground is our legitimate interest as the Controller (it stems from the above purposes) (Article 6(1)(f) of the GDPR). For inquiries aimed at entering into a contract or related to already existing contracts other than our service contracts (that is stipulated by section IV below), the ground is "to take steps at the request of the data subject prior to entering into a contract" (Article 6(1)(b) of the GDPR).

**When visiting our website**, we may use the cookie technology, which enables correct operation of our website and allows us to analyze the information on the way that you use the website, for instance, on the course of the account creation process.

**The legal ground** for the use of cookies and similar technologies is your consent, excluding the case where their use is necessary for the operation of our website (the provision of our service to you by electronic means in this scope), in which case our steps are based on the provision of law and our legitimate interest respectively (Article 6(1)(f) of the GDPR).

We may have received some of your data from you during a conference or an event in which our representatives took part, or from the organizer of such event. In that case, the data coming from a business card, an inquiry or a list of participants are processed in our database in order to send you the information in which you were interested, answer your questions and

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manage future correspondence/contact regarding that matter, or in order to send you thanks for the meeting or participation in the event. In such case, the legal ground for our steps is our legitimate interest (Article 6(1)(f) of the GDPR).

Where you provide your data to us not in your own name, which means that, for instance, you act in the name of our Customer or provider or another entity, we process your data to perform a contract, in the context where you act in the name of that third entity, and to enter into or perform the contract with that third entity or carry out a joint venture. The ground for processing your personal data for this purpose is our legitimate interest (Article 6(1)(f) of the GDPR) — building and maintenance of a relationship with the third entity in the name of which you act, including entering into and performing relevant contracts with that entity, as well as the intention of building a positive image of Controller.

Regardless of the above, we may use your personal data, first and foremost your name, surname and correspondence address (or, possibly, e-mail address), to send you occasional messages (e.g. season's greetings) or contact you with regard to promotions of Controller products or services.

The ground for processing your personal data for this purpose is our legitimate interest (Article 6(1)(f) of the GDPR) — the intention to maintain our relationship and build a positive image of Controller as well as marketing of Controller products or services.

In addition, where we process your personal data in order to:

- establishment, exercise or defence of legal claims, the ground for processing your personal data for this purpose is our legitimate interest (Article 6(1)(f) of the GDPR);
- fulfill the Controller's legal obligations (e.g. tax or accounting ones), the ground for processing your personal data for this purpose is the fulfillment of legal obligations imposed on the Controller (Article 6(1)(c) of the GDPR).

In each case, we send commercial information to electronic addresses (e-mail address / telephone) only after obtaining your consent (legal ground).

Your provision of personal data is voluntary but may sometimes be necessary for the purposes of our cooperation, e.g. required to enter into or perform a contract, answer your question or exchange messages. This means that failure to provide those data may sometimes constitute grounds for a refusal to establish cooperation by Controller or for taking legal action by Controller in order to terminate an existing contract.

Where the data are processed based on consent, **please remember that you can withdraw your consent any time**, but this shall not affect the legality of the processing carried out under the consent before its withdrawal. Where your data are processed on the grounds of the Controller's legitimate interest, you have the right to object to such processing.

## **IV. YOU ARE OUR CUSTOMER OR USER: which personal data do we collect and what are the purposes of and legal grounds for our actions?**

If you already use our services, then, beside the data we may have already processed in accordance with section III above, we also process the information related to our provision of services, such as usage data, data concerning the way of using our services or the course of contract performance, or your communication with us (if any). The purpose of and the legal ground for their processing is proper performance of a contract (Article 6(1)(b) of the GDPR), e.g. making out of bills. The data necessary to create an account are appropriately marked at the sign-up stage. Provision of all the information is voluntary, but certain data (appropriately marked at the sign-up stage) are required for the purposes of entering into a contract and commencing the provision of our services.

If our Customer has already added you as a service User (including e.g. as a contact person or a person authorized to make changes to service configuration), we process your data in the following scope: e-mail address, other contact details, data concerning the way of using our services and the course of contract performance, and your communication with us (if any). The legal ground for our steps is our legitimate interest (Article 6(1)(f) of the GDPR) — performance of a contract entered into with our customer.

We process some information to fulfill the obligations imposed by provisions of law. This applies mainly to the data concerning our accounting (tax regulations; Article 6(1)(c) of the GDPR).

## **V. How long do we process your data?**

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As a rule, data processing on the ground of our legitimate interest shall last until an objection is raised or until the purpose for which the data are processed is achieved.

Unless you are our Contractor, we store the data collected only in connection with ongoing contact (section III above) for a period depending on the data category; no longer than two years (more detailed inquiries and conversations which may be important for our future contact).

Data processing carried out only on the basis of your consent shall last until you withdraw that consent or until the purpose for which the consent was granted is achieved.

We store the data connected with the performance of various contracts, including data of representatives and contact persons (section II–IV above) during the contract term and then usually for few years after its termination/expiration. This stems from tax regulations and the prescription period of certain claims.

The above periods may be extended as necessary in the event of legal claims or proceedings (by the duration of those proceedings and their settlement) or if the provisions of law in specified cases oblige us to carry out longer processing.

## **VI. Who actually has access to your personal data?**

Only the following persons and entities obtain access to your personal data:

- duly authorized employees or cooperators of Controller, who are obliged to keep the data confidential and use them only for the purposes for which Controller obtained those data;
- entities which support us in service provision, such as e-mail platforms, cloud service providers, or providers of information and communication technology services or tools used for getting in touch (communicators);
- providers of legal, consulting, accounting and tax services;
- providers of auditing services;
- postal operators and couriers;
- insurers and entities providing archiving services;
- entities the services of which you may use while using our services;
- companies from the capital group to which Controller belongs.

Controller may also be obliged to provide specific information to public authorities for the purposes of proceedings conducted by those authorities. In such case, the information is provided only if a relevant legal ground exists.

The registered offices of some of the entities providing solutions to us may be located outside the European Economic Area (EEA). In each case of transferring data beyond the EEA, we apply the required protections, including standard clauses of data protection adopted under a decision made by the European Commission. Moreover, to protect personal data both during their transfer and after their receipt, we apply generally accepted standards which meet the requirements of the GDPR and the judicature of the Court of Justice of the European Union (CJEU).

You have the right to obtain a copy of the protections we apply with regard to transfers of personal data to third countries — please send a message to our e-mail address.

## **VII. What are cookies and other similar technologies? How and for what purposes do we use them?**

Cookies (cookie files) are small pieces of text information sent by a server and saved on your device (usually on the hard drive of a computer). Cookies store information which we may need to adjust to the way in which you use our website and to collect statistical data.

Whenever you visit our website, we have the opportunity to collect data concerning (the scope of specific data depends on currently enabled cookies; their list can be found below and in the cookie bar): the domain name of the Internet service provider, the browser type, the operating system type, the IP address, the websites you have visited, the elements you have downloaded, and the operation data or information on the location of the device that you are using.

We assure you that we use all the information received this way only for the purposes indicated in this policy and that it is not harmful to you or your device in any way because it does not make any configuration changes to your device.

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Still, you can naturally change the way of using cookie files, including blocking them completely or deleting them via your Internet browser or service configuration. However, please remember that such operations can prevent or considerably hinder the proper functioning of our website, for instance by slowing it down significantly. That is why we advise you to keep cookie handling turned on in the browser.

Find out how to manage cookies on popular browsers:

- [Microsoft Edge cookies information](#)
- [Internet Explorer cookies information](#)
- [Chrome cookies information](#)
- [Firefox cookies information](#)
- Safari cookies information – [mobile devices](#) and [desktops](#)
- [Opera cookies information](#)

To find information relating to other browsers, visit the browser developer's website. To opt out of being tracked by Google Analytics across all websites, visit <http://tools.google.com/dlpage/gaoptout>.

On our website we provide you with a tool, where you can decide which types of cookies you accept, and easily change these settings whenever you wish. Click [here](#) to see and manage your cookie preferences. Refreshing the page may be necessary to save new cookie consent settings and/or withdraw consent.

Below is a general description of cookies that may be used on our website:

- technical / necessary cookies — they are necessary for proper operation of the website and of its functionalities, but they do not entail any tracking of the Customer / User;
- analytical / statistical cookies — they are used to analyze the Customers' / Users' behavior within the website for statistical and analytical purposes (improvement of website operation), but they do not include information which would permit the identification of a specific Customer's / User's data;
- marketing cookies — they are used to analyze the Customers' / Users' behavior and they provide information which identifies a specific Customer's / User's data, including for marketing purposes within third party websites.

To see a detailed description of each cookie we use (including its provider, type and purpose), please click "Show details" or similar button on the cookies banner – you can open it at all times by clicking [here](#).

It may happen that we cooperate with other companies in the scope of their marketing (advertising) or analytical activities. For the purposes of this cooperation, the browser or other software installed on your device may also save cookies from entities conducting such activity, which may become the controller of your personal data (these are the so-called third party cookies). Cookies sent by these entities are to ensure that you are presented with only those advertisements that meet your individual needs.

By giving consent to third party cookies, you consent to sharing of your personal data with our partners and to processing of this data as described in regard to each cookie.

After consenting to third party cookies, some types of data processing may take place on other legal ground – e.g. the legitimate interest of the controller or a third party – and you have the right to object to such processing.

To see details regarding third party cookies for Controller's website, please see "Show details" or similar button on the cookie banner under "Provider" - you can open it at all times by clicking [here](#).

Above entities, due to the use of their own cookies on our website, may become controllers of your personal data. More information on the cookies of these entities can be found in their privacy policies.

## VIII. Contact details of Controller

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The Controller of your personal data is: JIGGY Sp. z o.o.

The seat address and the contact address of Controller is: Poland, Wrocław 54-611, ul. Stanisławowska 47

General e-mail address for contact: support@biggerpicture.software

## **IX. What rights do you have in connection with the processing of your personal data by Controller?**

### **Access to personal data**

You can always ask us to grant you access to your personal data in order to see what data we process concerning you and to obtain detailed information on the following aspects:

- whether we process your personal data,
- the purposes for which we process them,
- the categories of data that we process,
- the data recipient(s),
- if possible, the planned storage period of those data; otherwise, the criteria of setting such period,
- all the available information on the data source (in the cases where the personal data were not collected from you).

### **Right to demand rectification of personal data**

If you believe that the information concerning you is incorrect or incomplete, you have the right to demand rectification of the data which you consider to be inaccurate or incomplete in terms of their scope.

### **Right to erasure of personal data**

In certain situations, the GDPR grants you so-called right to be forgotten. The circumstances justifying such a demand include:

- the personal data no longer being necessary for the purposes for which they have been collected or otherwise processed;
- your withdrawal of the consent to personal data processing, where no other legal ground for further processing exists;
- your objection to personal data processing, where no legally overriding and justified grounds for processing exist;
- your objection to personal data processing for marketing purposes;
- unlawful processing of your personal data;
- fulfillment of a legal obligation imposed by the EU law or by the law of the Member State by which Controller is governed.

### **Right to restrict processing**

You can demand restriction of the processing of your personal data where:

- you question the correctness of the personal data that we process — for a period permitting the verification of correctness of those data;
- the processing of your personal data is unlawful, but you prefer restriction of processing to erasure;
- Controller no longer needs your personal data for processing purposes, but you need the data for the establishment, exercise or defense of claims;
- you have objected to the processing of your personal data — only until the dispute in question is settled.

An effective submission of a demand for processing restriction shall result in a restriction of the operations we perform on the data specified by you and the scope of specified operations / processing purposes to the necessary minimum — in principle, to storage alone.

### **Right to data portability**

You have the right to receive your personal data in a commonly used and machine-readable format and the right to transmit those data to another controller.

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You can exercise this right if:

- the processing is based on your consent or a contract; and
- the processing is carried out by automated means.

## Right to object

In specific situations, you have the right to object to specified processing. You can object to:

- the processing of your personal data the legal ground for which is the performance of a task carried out for reasons of public interest or the exercise of official authority entrusted to Controller, including profiling, on grounds relating to your particular situation;
- the processing of your personal data where that processing is necessary for the purposes stemming from legitimate interests pursued by Controller or a third party, including profiling, on grounds relating to your particular situation;
- the processing of your personal data for the purposes of direct marketing, at any moment, in the scope in which the processing is related to such direct marketing;
- the processing of your personal data for statistical purposes, on grounds relating to your particular situation.

However, please remember that if, despite the objection you have filed, we assess that there exist compelling legitimate grounds for processing which override your interests, rights and freedoms, or grounds for the establishment, exercise or defense of claims, we shall continue the processing of your data covered by the objection in question. If you do not agree with such assessment of the situation, you can exercise your right to file a complaint with a supervisory authority (see below).

## Right to file a complaint with a supervisory authority

You have the right to file a complaint with a supervisory authority in connection with our actions as the Controller of your personal data.

Naturally, if you have comments about our actions, we encourage you to contact us first. If we make a mistake anywhere, we shall surely take appropriate steps.

If you wish to file a complaint with a supervisory authority, you can find a list of local authorities responsible for personal data protection in the European Union together with their contact details on the following website: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).

## X. California Residents – additional information

The California Consumer Privacy Act, as amended by the California Privacy Rights Act (“California Privacy Laws”) requires us to disclose the following additional information related to our privacy practices. If you are a California resident this section applies to you in addition to the rest of this Privacy Policy.

### 1. Categories of Personal Information Collected, Used, and Disclosed

In the preceding 12 months, depending how you interact with our sites, we may have collected the following categories of Personal Information:

- **Identifiers**, such as your name, address, unique personal identifier, email, phone number, or similar identifiers.
- **Commercial information**, such as information relating to transactions with us involving you or the person that you work for, and information about events to which you or those related to you are invited, and your personal information and preferences to the extent that this information is relevant to organising and managing those events.
- **Internet or other electronic network activity information**, such as technical information, including the Internet protocol (IP) address used to connect your computer to the Internet, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.
- **Inferences drawn from any of the information listed above**, such as your preferences, characteristics, behavior and attitudes.

For more information about the Personal Information we collect and how we collect it, please refer to “Contractors / Users” and “We contact each other” sections above.

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We collect your Personal Information for the business purposes described in the “Contractors / Users” and “We contact each other” sections above.

The categories of third-parties with whom we may share your Personal Information are listed in the “Who has access to personal data” section above.

## 2. California Privacy Rights

If you are a California resident, you have rights in relation to your Personal Information as identified below; however, your rights are subject to certain exceptions and are not absolute. We may deny your request: (a) when denial of the request is required or authorized by law; (b) when granting the request would have a negative impact on another's privacy; (c) to protect our rights and properties; (d) where the request is frivolous or vexatious, or for other reasons.

- **Right to Know.** You may have the right to obtain a copy, or a list of categories of the Personal Information that we hold about you, as well as other supplementary information, such as the purposes of processing, and the entities to whom we disclose your Personal Information.
- **Right to Correct.** You may request us to rectify, correct or update any of your Personal Information held by us that is inaccurate.
- **Right to Delete.** Under certain circumstances, you may have the right to request that we delete the Personal Information that we hold about you. This right is not absolute, and we may refuse your right to delete if (i.a.) it is reasonably necessary for us to provide a service requested by you; to perform a contract between us; to maintain functionality and ensure security of our systems; to enable solely expected internal uses of your Personal Information; to exercise a right provided by law; or to comply with a legal obligation.
- **Right to Portability.** Under certain circumstances, you may have the right to receive Personal Information we hold about you in a structured, commonly used, and machine-readable format so that you can provide that Personal Information to another entity.
- **Right to Opt Out of Sale/Share.** You have the right to opt-out of the sale of your Personal Information in exchange for monetary or other valuable consideration, including sharing of your Personal Information to third parties for behavioral advertising purposes. We do not sell your Personal Information for profit, but like many websites, we use cookies, pixels, and similar technology, and we share certain information, such as your IP address or device identifiers, to certain third-party advertisers in order to improve your Customer experience and to optimize our marketing activities. To exercise your right to opt-out of share of your personal information, please change the way of using cookies files (you can completely block them) – more information on how to do it, please see the “What are cookies” section above. Please note that you may still receive generalized ads after opting out of targeted advertising.
- **Right to Limit Use of Sensitive Information.** To the extent your sensitive personal information (as that term is defined under California Privacy Laws) is used to infer characteristic about you, you have the right to direct us to stop such processing of your sensitive personal information for such purposes. We do not process any sensitive personal information to infer characteristics about you.
- **Right to Object to Automated Decision-Making.** You may have the right not to be subject to a decision that is based solely on automated processing (where a decision is taken about you using an electronic system without human involvement) which significantly impacts your rights. No decision will be made by us about you solely on the basis of automated decision making which has a significant impact on you.
- **Right Against Discrimination.** You have the right not to be discriminated against for exercising any of the rights described in this section. We will not discriminate against you for exercising your privacy rights.
- **Direct Marketing** If you are a California resident, you can request a notice disclosing the categories of personal information we have shared with third parties for the third parties' direct marketing purposes.

## 3. Exercising Your California Privacy Rights

You may exercise your rights by contacting us at [support@biggerpicture.software](mailto:support@biggerpicture.software). In your request, please make clear which right you would like to exercise. Before fulfilling your request, we are required by law to have you to verify the Personal Information we already have on file to confirm your identity. If we cannot verify your identity based on the information we have on file, we may request additional information from you, which we will only use to verify your identity, and for security or fraud-prevention purposes.