

# PRIVACY POLICY

## PREAMBLE

RECOMMERCE SOLUTIONS undertakes that the collection and processing of personal information, made via the Site, is carried out in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and Law No. 78-17 of 6 January 1978, as amended by Law No. 2018-493 on the protection of personal data.

This policy relating to the use of personal data applies to all Users purchasing products marketed by Recommerce Solutions on online Sites referring to this policy. It also applies to any User reselling products to Recommerce Solutions on online Sites referring to this policy.

## Definitions :

**Personal data:** The term "personal data" covers all information that directly or indirectly identifies a person.

**Data controller:** Any natural or legal person who determines the purposes and means of processing personal data. The data controller is responsible for ensuring compliance with the GDPR within their organisation.

**Sub-processor :** Any natural or legal person who processes personal data on behalf of the data controller.

**Site:** refers to any online site used by the User offering services for the purchase or sale of Products and referring to this Policy for the use of personal data.

**User:** refers to the person using the Site's services to take back their product or purchasing the products offered by the Site.

## Who is responsible for processing my personal data?

Personal data are collected by RECOMMERCE SOLUTIONS, Data Controller Tel: +33 (0) 1 57 21 71 52, 54 avenue Lénine 94250 Gentilly Registered under number 513 969 402 and represented by Pierre Etienne ROINAT

An internal Data Protection Officer has been appointed.

Pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and the Act of 6 January 1978 (as amended by the Act of 6 August 2004), the User is notified that the User's personal data is requested by Recommerce Solutions for the purposes and under the conditions detailed in the following paragraphs.

## 1-DATA COLLECTED, PURPOSES AND RETENTION PERIODS

The Data collected through the Site is that which Users transmit voluntarily.

However, Data is also collected indirectly by means of cookies. These are small data files that the Site can send to a personal computer's hard drive and then track.

What personal data is collected and for what purposes and on what grounds?

We only keep your personal data for as long as is necessary for the purposes set out below or to enable us to meet our legal obligations.

The following Data are collected for the purposes, legal bases and periods set out below:

<b>Data collected</b>	<b>Purpose(s)</b>	<b>Legal basis</b>	<b>Shelf life</b>
Technical cookies	Enable the Site to work	Derogatory provisions stipulated in Article 82 of the Data Protection Act	13 months
Non-essential cookies	Audience measurement  Adaptation of the Site format to the device used  Recognition of the User in order to maintain an active connection  Analysis of traffic and browsing data to improve Site performance  Retain your chosen language	Consent	13 months
IP address, logs, connection identifiers, timestamp Browsing data	Personalised advertising	Consent	13 months

Email, First name, Last name	Creating a customer account	Consent	3 years after last connection
Email, First name, Last name	Subscribe to our newsletter and receive information about our products	Consent or our legitimate interest in similar products or services	3 years after the last purchase or until the customer/prospect unsubscribes
Email, First name, Last name, billing & delivery address,	Order registration, order processing, after-sales service management	Performance of the contract	10 years
conversational data, correspondence with customer service; data relating to the follow-up of your request	after-sales or trade-in service management by telephone (via Diabolo com) and email (via Zendesk)	Performance of the contract	Telephone recording via Diabolo com: 3 months  History of written conversations via Zendesk: 25 months after ticket closure
Email, First name, Last name, selected product	Notification when the selected product is back in stock	Consent	1 year after the last contact and/or the end of the commercial relationship.
Email, First name, Last name, Order date, Product ordered	Collect customer reviews electronically with Avis vérifié (for sales) and Trustpilot (for trade-in of product)	Legitimate interest	3 years from the date of collection of the notice for data sent to Trustpilot  For data sent to Avis Vérifiés: 3 months from the date the e-mail is sent, if no opinion is submitted, or 18 months from the date the Opinion is submitted, if a consumer has submitted an Opinion.
IBAN	Handle a claim with payment of a refund as part of a warranty claim on a product sold, an order withdrawal or after-sales service	Performance of the contract	3 years after the payment was made
Credit card details, identity details	Fraud prevention and payment management with Hipay	Performance of the contract	5 years after collection by Hipay
Affidavit of receipt of an empty parcel or non-receipt of the parcel with mention of the order number	Handling a claim in the event of a transport dispute	Consent	10 years
Identity document	Manage a claim if there is reasonable doubt about the identity of the claimant and check the authenticity/ correspondence between the	Consent	Immediate deletion after verification

	document holder and the person holding the document with ID Now (partner).		
First name, surname, billing & delivery address, identification of product(s) purchased, payment data	Keeping accounting records	Legal obligation, Article L123-22 of the French Commercial Code and <a href="#">Article 242 nonies A</a> of the French <a href="#">General Tax Code, appendix 2</a>	10 years
First and last name Email address Telephone number Postal address for invoicing Information about the identity document (type, number and date of issue of the identity document and indication of the authority that issued it or copy of the identity document)	Product trade-in operations (submitted to Recommerce Solutions' General Trade-In Conditions):  Data collection for registration of the request  Drawing up the transfer order  Payment execution  Customer relations and order tracking	Legal obligation under Article R321-3 of the Criminal Code to fill in the police register with the exact data required  Performance of the contract	10 years
First name, surname, telephone number, delivery address, identification of the product(s) purchased or sold to Recommerce Solutions.	Ensuring product shipment with carriers	Performance of the contract	The storage period is specified in each carrier's general terms and conditions.

## 2-COOKIE MANAGEMENT

Recommerce Solutions informs the User that, during visits to the Site, cookies may be installed on the User's terminal equipment for the purposes listed in the table above.

There are different types of cookies:

- **Essential cookies**, which are necessary for the site to function properly. If the User's personal computer browser is configured to refuse them, access to these services may be impaired or even impossible.
  - Session cookies: These remember your activities on a site, such as keeping you logged in to your account.
  - User input cookies (session-id): These track elements you enter on a site, such as responses to an online form or items in your shopping basket.
  - Authentication cookies: These confirm the user's identity via their connection details.
  - User-centric security cookies: These detect authentication errors, such as incorrect login credentials.
  - Load balancing cookies: These connect information between the user's web server and your web server.

These cookies, which are essential to the operation of our Site, do not require the User's consent. Otherwise, the Site cannot be displayed correctly on your mobile device or computer.

**Non-essential cookies**, which are not necessary for the Site to function properly, but which enhance the user experience.

- For example, third-party tracking cookies and personalisation cookies fall into this category.
  - These cookies also make it possible to identify the services and sections that the User has visited, and more generally his/her visiting behaviour. This information is useful for better customizing the services, content, promotional offers and banners that appear on the Site.
- A banner informs the User about the use of cookies and the purposes for which they are used, and asks for explicit consent by means of a clear affirmative action.
  - Users can manage the cookies used on the site by configuring their browser.
  - The User has several options for deleting cookies: the User may, if they wish, choose to accept all cookies, or reject them systematically, or choose which cookies the User accepts depending on the sender. The User may also configure his/her browser to accept or reject cookies on a case-by-case basis prior to their installation. The User may also regularly delete cookies from their terminal via their browser. The User must configure all the browsers on their various terminals (tablets, smartphones, computers, etc.).
  - Each browser has a different configuration for managing cookies and the User's choices. This is described in the browser's help menu, which will enable Users to find out how to modify their cookie preferences.
  - However, if you set your browser to refuse cookies, certain functions, pages and areas of the Site will not be accessible, for which the Data Controller cannot be held responsible.
  - The data controller also draws the User's attention to the fact that, when the User objects to the installation or use of a cookie, a refusal cookie is installed on his/her terminal equipment. If the User deletes this refusal cookie, it will no longer be possible to identify him/herself as having refused the use of cookies. Similarly, when the User consents to the installation of cookies, a consent cookie is installed. Consent or refusal cookies must remain on the User's terminal equipment.

Cookies are kept on the User's computer for a maximum of thirteen (13) months from the time they are placed.

At the end of this period, the User's consent will again be sought (except in the case of essential cookies, which do not require consent).

The data collected via cookies is transmitted and stored by the Data Controller or a partner company appointed by the latter.

The Google Analytics service is used to count Users and identify how they use the site. These cookies are deposited and read on the user's terminal equipment as soon as the user accesses a website using the "Google Analytics" service.

Data may therefore be processed in a country outside the European Union.

Google Inc. is a member of the Safe Harbor and therefore ensures an adequate level of protection for personal data as required by Article 45 of the Regulation of 27 April 2016 (Decision 2000/520/EC of 26-7-2000).

The User can obtain more information on the Google Analytics service by visiting the <http://www.google.com/analytics/learn/privacy.html> page.

### **3- RECIPIENTS OF THE DATA COLLECTED**

RECOMMERCE SOLUTIONS is responsible for processing your data (Phone number : +33 (0) 1 57 21 71 52, 54 avenue Lénine 94250 Gentilly)

The data collected is processed electronically and is intended for use by Recommerce Solutions (its employees in charge of Site management, support management, sales and marketing management and legal management) and by companies in the Recommerce Solutions Group, where applicable. It is also transmitted to partner companies or sub-contractors appointed by Recommerce Solutions or its subsidiaries.

Recommerce Solutions uses several categories of sub-contractors:

- technical subcontractors (hosting, IT supervision, etc.)
- logistics sub-contractors (order preparation, transport, etc.)
- payment subcontractors (fraud prevention, payment management)
- subcontractors in charge of customer relations (telephone service)
- subcontractors in charge of after-sales service (repair stations, management of product returns, etc.)
- marketing subcontractors (prospecting operations, cookies, recommendations & personalisation, etc.)

As part of the management of disputes, we may ask you to submit to an online verification of your identity with our partner ID Now or, if this online process fails, to send us a copy of your identity card.

These partner companies or subcontractors are carefully selected in order to provide the service requested, within the framework :

- the registration, processing and delivery of the order, as well as after-sales services and the management of any complaints
- the sending of information on RECOMMERCE SOLUTIONS products for advertising purposes. Personal data may be transmitted to an external service provider acting on behalf of RECOMMERCE SOLUTIONS and specializing in sending commercial prospecting e-mails.
- the use of data to evaluate the performance of advertising campaigns and generate personalised audiences or similar audiences for potential customers via the Meta (Facebook, Instagram) and Google social network advertising platforms.

For more information on the processing of data by Meta, please consult the documents [HERE](#), [Google HERE](#) and [HERE](#).

<https://en-gb.facebook.com/legal/terms/customaudience>

<https://safety.google/privacy/ads-and-data/>

<https://support.google.com/google-ads/answer/6334160>

Partner companies or subcontractors likely to process personal data are subject to contractual confidentiality and data protection clauses.

RECOMMERCE SOLUTIONS guarantees to follow the rules for the protection of personal data set out in these terms and conditions and to have taken all necessary measures to preserve the security of Users' personal data.

Recommerce Solutions and its service providers ensure that data is stored on servers located in Europe.

However, as part of the management of social networks and digital commercial communication, your personal data may be transferred outside the European Union to the United States.

Transfers to Morocco can be arranged through our customer service (call center).

In order to guarantee the security and confidentiality of your personal data which may be transferred outside the European Union, Recommerce Solutions requires its subcontractors to undertake to comply with the agreements relating to this transfer of data and in particular to comply with the European Commission's Standard Contractual Clauses in force.

Your data may be communicated to any administrative or judicial authority that so requests.

#### **4-YOUR RIGHTS**

In accordance with Articles 16, 17, 18, 20 and 21 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 and Article 34 of the French Data Protection Act, RECOMMERCE SOLUTIONS guarantees the User a right of opposition, access, deletion, data portability and rectification of Personal Data concerning him or her.

**The right of access:** This is the right of any person to obtain communication of all information concerning him or her held by the Data Controller.

**The right of rectification:** This is the right of any person to obtain the rectification of inaccurate personal data concerning him or her, as well as the right to obtain that incomplete personal data be completed, including by providing a supplementary declaration.

**The right to object:** This is the right of the data subject to object at any time (either at the time the information is collected or later, by contacting the data controller), for reasons relating to his or her particular situation based on the public interest or the legitimate interest of the data controller. With regard to commercial canvassing, any person may object at any time to their data being circulated, transmitted or stored. This right may be exercised without having to justify a legitimate reason.

**The right to define directives concerning the fate of personal data after the death of the person concerned:** In the absence of directives or a statement to the contrary in the directives, the heirs of the person concerned may, after his or her death, exercise the rights over the deceased's personal data.

**The right to restrict processing is the right of the data subject to obtain from the controller the restriction of processing where:**

- the accuracy of the personal data is contested for a period of time allowing the controller to verify the accuracy of the personal data,
- the processing is unlawful and the data subject objects to the erasure of the personal data and demands instead that their use be restricted,
  
- the controller no longer needs the personal data for the purposes of the processing operation, but the data are still necessary for the data subject to establish, exercise or defend legal claims,
  
- the data subject has objected to the processing during the verification as to whether the legitimate grounds pursued by the controller override those of the data subject.

**The right to portability:** Individuals have the right to have their personal data transmitted in a structured, commonly used and machine-readable format, and have the right to have this data transmitted to another controller without the controller to whom the personal data has been disclosed being able to prevent this, where:

- The processing is based on consent or on a contract, and
- The processing is carried out using automated processes.

**The right to lodge a complaint with a supervisory authority:**

For more information about exercising your rights, please visit the following website:  
<https://www.cnil.fr/fr/comprendre-vos-droits>

**The right to register on BLOCTEL**

In accordance with Articles L.223-1 et seq. of the French Consumer Code, if you do not wish to be contacted by telephone on the number provided to Recommerce Solutions, you

may at any time register this telephone number on the Internet telephone canvassing opposition list at • [www.bloctel.gouv.fr](http://www.bloctel.gouv.fr) .

## **5-METHODS FOR EXERCISING RIGHTS**

The data controller informs the data subject that proof of identity is not required in order to exercise his/her right to object to receiving commercial offers or advertising.

### **To access or rectify stored data:**

The person concerned may exercise their rights of access and rectification by writing to Recommerce Solutions - Service Protection des données personnelles - 54 Avenue Lénine - 94250 Gentilly - France or by email : [donneespersonnelles@recommerce.com](mailto:donneespersonnelles@recommerce.com)

A reply will be sent within 1 month of receipt of the request.

### **To object to the transfer of your data :**

The person concerned may exercise their right to object to the transfer of their data by writing to Recommerce Solutions - Service Protection des données personnelles - 54 Avenue Lénine - 94250 Gentilly - France or by email: [donneespersonnelles@recommerce.com](mailto:donneespersonnelles@recommerce.com).

A reply will then be sent within 1 month of receipt of the request.

### **To request the deletion of your data:**

The person concerned may request the deletion of their data by writing to Recommerce Solutions - Service Protection des données personnelles - 54 Avenue Lénine - 94250 Gentilly - France or by email: [donneespersonnelles@recommerce.com](mailto:donneespersonnelles@recommerce.com)

. A reply will then be sent within 1 month of receipt of the request.

The person concerned must be able to prove their identity by any means (for example by writing with an email address that corresponds to that of the account to be deleted).

In the event of reasonable doubt, proof of identity may be requested.

For legal or contractual reasons, certain information concerning the person concerned cannot be altered or deleted from the databases.

### **If the person concerned wishes to give instructions concerning their personal data after their death.**

They may exercise their right to give instructions concerning their data after their death by writing to Recommerce Solutions - Service Protection des données personnelles - 54 Avenue Lénine - 94250 Gentilly - France or by email: [donneespersonnelles@recommerce.com](mailto:donneespersonnelles@recommerce.com).

A reply will be sent within 1 month of receipt of the request.

## **6-SECURITY OF YOUR DATA**

Your personal data is stored on secure servers, accessible to a limited number of people with specific access rights to these systems.

The personal data collected is shared with subcontractors on the basis of data that is used exclusively for the purposes of the subcontract, recording the method of payment, logistical processing of the order and customer service.

We entrust trusted service providers with the storage of your data in order to manage your contract, your services, your complaints and/or to provide you with our offers in accordance with the European General Data Protection Regulation (GDPR). In the event that an unauthorised third party has access to your data, we will inform you and the Commission Nationale Informatique et Libertés (French Data Protection Authority).