

PRIVACY POLICY

The protection of personal data and the EU General Data Protection Regulation (“**GDPR**”) that is applicable since May 25th, 2018, are important for MySessions. This privacy policy (the “**Privacy Policy**”) describes the processing MySessions undertakes with certain personal information related to You.

Any capitalized terms used in this Privacy Policy which are not otherwise defined herein has the meaning set forth in the General Conditions.

1. DATA CONTROLLER

The company MySessions, with its principal place of business at 68 rue de Clignancourt, 75018 Paris, France, collects and processes some of Your personal information, as defined in this Privacy Policy, and is acting as data controller in relation with such processing.

You may contact MySessions at the following e-mail address privacy@mysessions.com for any question or query you may have in relation with the processing of Your personal information.

2. INFORMATION WE COLLECT

There are three general categories of information we collect.

2.1 Information You give to us.

2.1.1 Information that is necessary for the use of the Services.

We ask for and collect the following personal information about You when You use the Platform. This information is necessary for the adequate performance of the agreement between You and us and to allow us to comply with our legal obligations. Without such information, we may not be able to provide You with all the Services.

- **Account Information.** When You create a User Account, we require You to provide the following information: Your first name, last name, email address, and profile picture.

2.1.2 Information You choose to give us.

You may choose to provide us with additional personal information as part of Your profile. Such additional information will allow You to obtain a better user experience when using the Platform and to facilitate Your identification. As such, You may choose to inform us whether You are currently on a surf trip or whether You are about to go on a surf trip, and, as the case may be, the country/city where You are or where You intend to go, the dates of Your surf trip, and whether You stay at a surf camp that is a partner of MySessions. This additional information is processed based on Your consent. You can remove Your consent at any time without any reason by deleting the additional information You have chosen to give us.

2.2 Information we automatically collect from Your use of the Platform.

When You use the Platform, we automatically collect information, including personal information, about the services You use and how You use them. This information is necessary for the adequate performance of the contract between You and MySessions, to enable us to comply with legal obligations and given our

legitimate interest in being able to provide and improve the functionalities of the Platform. Such information includes the following:

- **Usage Information.** We collect information about Your interactions with the Platform such as the pages or content You view.
- **Log Data and Device Information.** We automatically collect, through a service provider, log data and device information when You access and use the Platform, even if You have not created a User Account or logged in. That information includes details about how You have used the Platform, access dates and times, hardware and software information, device information, unique identifiers, crash data, cookie data, and the Pictures You have viewed, at which moment You viewed them and how many times You clicked on such Pictures.
- **Cookies.** We use cookies. We may also use the services of third parties that use these tracking technologies on the Platform. For more information on our use of cookies, see our Cookies Policy in [Section 6](#) below.

2.3 Information we collect from third parties.

MySessions may collect information, including personal information, that others provide about You when You connect to the Platform through others' services. This information is necessary for the adequate performance of the contract between You and MySessions, given our legitimate interest in being able to provide You with the Services. We do not control, supervise or respond for how the third parties providing your information process your personal data, and any information request regarding the disclosure of your personal information to us should be directed to such third parties.

- **Third Party Services.** If You link, connect, or login to your User Account with a third party service (e.g. Google+, Facebook), the third party service may send us information such as Your registration and profile information from that service. This information may vary and is controlled by that service or as authorized by You via Your privacy settings at that service. You are not obliged to connect using a third party service and this is Your decision to do so. If You decide to connect or login to Your User Account with a third party service, MySessions will not share with such third party service any of the Pictures of You, unless You have expressly given Your consent for such sharing.

MySessions will also collect Pictures of You when a Photographer uploads such Pictures on the Platform. This information is necessary for the adequate performance of the contract between You and MySessions, given our legitimate interest in being able to provide You with the possibility to buy such Pictures of You.

- **Photographs.** The Photograph(s) may take Pictures of You and upload them on the Platform, in order to allow You to view them and buy them. These Pictures will be stored on the servers of MySessions and MySessions will access to these Pictures for the sole purposes of allowing You to acquire them.

2.4 Information collected by third parties that is necessary for the payment of the Pictures.

The payments service provider we use needs to collect the following information, as it is necessary for the adequate performance of the contract with You and to comply with applicable law. Without it, You will not be able to buy any Picture:

- **Payment Information.** When you buy a Picture, our payment service provider requires certain financial information (like your bank account or credit card information) in order to process payments and comply with applicable law.

MySessions does not have access to the foregoing personal data. Such personal data is collected by the payment service provider and is not shared with us.

3. HOW WE USE INFORMATION WE COLLECT

We use, store, and process information, including personal information, about You to provide, understand, improve, and develop the Platform, create and maintain a trusted environment and comply with our legal obligations.

3.1 Provide, improve, and develop the Platform.

- Enable You to access and use the Platform and the Services, and buy Pictures.
- Inform You about the time remaining before we remove the Pictures of You from the Platform.
- Operate, protect, improve, and optimize the Platform and experience, such as by performing analytics and conducting research.
- Provide customer service.
- Send You service or support messages, updates, security alerts, and account notifications.

We process this information given our legitimate interest in improving the Platform and Your experience with it, and where it is necessary for the adequate performance of the contract with You.

3.2 Create and maintain a trusted environment.

- Detect and prevent illicit content, fraud, spam, abuse, security incidents, and other harmful activity.
- Conduct security investigations and risk assessments.
- Verify or authenticate information or identifications provided by You (such as to compare Your identification photo to another photo You provide).
- Conduct checks against databases and other information sources, including background or police checks, to the extent permitted by applicable laws and with Your consent where required.
- Comply with our legal obligations.

We process this information given our legitimate interest in protecting the Platform, to measure the adequate performance of our contract with you, and to comply with applicable laws.

3.3 Provide and improve our information activities.

We will send You e-mails containing certain information in connection with the functionalities of the Platform or more general information about the Platform and the Services that may be of interest to You.

When You have viewed a Picture of You on Your User Account but You have not acquired it yet, we will send You e-mails informing You about the time remaining before we remove the Pictures of You from the Platform in order to allow You to buy these Pictures before we remove them.

We will process Your personal information for the purposes listed in this section given our legitimate interest in providing You with information about the Platform and our Services, that may be of Your interest. You can opt-out of receiving communications from us by following the unsubscribe instructions included in our communications or changing Your notification settings within your User Account.

3.4 How the payment service provider uses the Information Collected.

- Enable You to pay the Pictures You have decided to acquire.
- Detect and prevent fraud, abuse, security incidents, and other harmful activity.
- Conduct checks against databases and other information sources.
- Comply with legal obligations.
- Enforce the payment terms and other payment policies.
- With Your consent, send You promotional messages, marketing, advertising, and other information that may be of interest to you based on your preferences.

The payment service provider processes this information given its legitimate interest in improving the payment services and its users' experience with it, and where it is necessary for the adequate performance of the contract with You and to comply with applicable laws.

4. SHARING & DISCLOSURE

4.1 With Your Consent.

Where You have provided consent, we share Your information, including personal information, as described at the time of consent, such as when You authorize a third-party application or website to access Your User Account or when You participate in promotional activities conducted by MySessions partners or third parties.

4.2 Public Information.

Your first name and Your profile picture only may be public. MySessions will not share any of the Pictures with the public or the other Users.

4.3 Information You decide to share on the social media platforms

You may decide on Your own to share some Pictures of You on the social networks You use (e.g. Facebook, Google +). For that purpose, MySessions will provide You with a link (URL) that You may post on Your profile of the social network of Your choice. In such case, the Pictures You will share will be visible by the people You have selected in the privacy settings of such social network(s). You are free to modify at any time such privacy settings, in order to limit or extend the people that may see the content You publish on such social network(s). MySessions shall not be responsible for any consequences that may arise from Your decisions to share certain Pictures of You on any social media platforms.

The link that MySessions will provide You will include specific hashtags providing information about the place (city, surf spot) where the Picture You intend to share was taken, the surfcamp You are staying at, and an hashtag related to MySessions. These hashtags will be pre-completed by MySessions and You have the possibilities to remove such hashtags or amend them. It is not mandatory to share these hashtags. If You decide to share these hashtags, You consent to disclose the personal data they may contain to the public.

4.4 Compliance with law, responding to legal requests, preventing harm and protection of our rights.

MySessions may disclose your information, including personal information, to courts, law enforcement or governmental authorities, or authorized third parties, if and to the extent we are required or permitted to do so by law or if such disclosure is reasonably necessary: (i) to comply with our legal obligations, (ii) to comply with legal process and to respond to claims asserted against MySessions, (iii) to respond to verified requests relating to a criminal investigation or alleged or suspected illegal activity or any other activity that may expose us, you, or any other of our users to legal liability, (iv) to enforce and administer our General Conditions, or (v) to protect the rights, property or personal safety of MySessions, its employees, its Users, or Photographers.

These disclosures may be necessary to comply with our legal obligations, for the protection of your or another person's vital interests or for the purposes of our or a third party's legitimate interest in keeping the Platform secure, preventing harm or crime, enforcing or defending legal rights, or preventing damage.

Where appropriate, we may notify Users about legal requests unless: (i) providing notice is prohibited by the legal process itself, by court order we receive, or by applicable law, or (ii) we believe that providing notice would be futile, ineffective, create a risk of injury or bodily harm to an individual or group, or create or increase a risk of fraud upon MySessions's property, its Members and the Platform. In instances where we comply with legal requests without notice for these reasons, we will attempt to notify that Member

about the request after the fact where appropriate and where we determine in good faith that we are no longer prevented from doing so.

4.5 Service Providers.

MySessions uses some third-party service providers to help us provide services related to the Platform. Service providers may be located inside or outside of the European Economic Area. In particular, our service providers are based in Europe and North America.

MySessions uses the hosting services of Microsoft Azure (based in the U.S.A) which servers are located within the European Union.

MySessions uses the services of Amazon Rekognition (based in the U.S.A) in order to identify You and allow You to access to the Pictures that have been taken by a Photographer. Amazon Rekognition does not have access of Your Pictures. The servers of Amazon Rekognition are located within the European Union.

MySessions uses the services of Paypal for the payment of the Pictures You decide to buy.

MySessions uses the services of OVH (based in Roubaix, France) for the domain name.

MySessions uses the services of Google Analytics for the purposes described in [Section 6](#) below.

MySessions uses the services of a web developer located in the EU, which provides support and maintenance services in relation with the Platform.

5. YOUR RIGHTS

5.1 Right of access and rectification

You have the right to have confirmation as to whether or not personal information concerning You is being processed and, where it is the case, access to the personal information MySessions is processing about You. You also have the right to request MySessions to (i) rectify any of inaccurate personal information concerning You and (ii) have incomplete personal information completed. You may also directly modify or complete any such personal information at any time *via* Your User Account.

5.2 Right to erasure

Subject to our storage legal obligations, You have the right to request MySessions to remove any of Your personal information from the Platform, in particular where (i) the personal information is no longer necessary in relation to the purposes for which it was initially collected or processed, (ii) You have withdrawn Your consent for certain processing of Your personal information, (iii) You believe that the personal information have been unlawfully processed, (iv) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which My Sessions is subject.

5.3 Right to restriction of processing

You have the right to obtain the restriction of processing where (i) You contest the accuracy of the personal information concerning You, (ii) You believe that their processing is unlawful and You request the restriction of their use instead of the erasure, and (iii) My Sessions no longer needs the personal data for the purposes of the processing but You need such personal data for the establishment, exercise or defense of legal claims.

5.4 Right to data portability

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

5.4 Right to object

You have the right to object, on grounds relating to Your particular position, at any time to processing of personal data concerning You where the processing is necessary for the purposes of the legitimate interests pursued by us, unless MySessions demonstrates compelling legitimate grounds for the processing

which overrides Your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

5.5 Automated individual decision-making

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning You or similarly affects You, unless this decision is necessary for entering into, or performance of a contract between the data subject and a data controller or is authorized by Union or Member State law to which MySessions is subject, or if You have given Your explicit consent.

5.6 Right to lodge a complaint

You gave the right to lodge a complaint with a supervisory authority (such as the French Commission Nationale de l'Informatique et des Libertés).

5.7 Exercise of Your rights

You may exercise any of Your rights by contacting MySessions at the following e-mail address: privacy@my-sessions.com.

6. Cookies policy

6.1 What is a cookie and for which purposes do we use cookies?

Cookies are files that are placed in the browser on your computer or terminal when you browse the Platform. These files are subsequently automatically sent by the browser to the servers of MySessions during your browsing, in order:

- to enable browsing on the Platform (management of shopping baskets, customer account connection sessions, proof of authentication for the "remember me" function) and to adapt to your terminal (language used, display resolution, operating system of the Platform);
- to monitor user browsing on the Platform and to measure audiences to optimize and improve the Platform.

6.2 Who are the cookies placed by?

These files are placed:

- Either by MySessions
- Or by third parties: when You browse the Platform, cookies are issued by a third-party audience measurement company (Google Analytics), subject to choices that you have made previously with their services, or at any time under the conditions described below.

These cookies are mainly intended to measure audiences, make statistics and improve the experience on the Platform.

The issue, use and management of these third-party cookies are subject to the confidentiality and data-protection policies of this third-party company. However, we inform you, when we actually know, of the purpose and means of management of these cookies.

6.3 Detailed description of the cookies used by MySessions:

Cookies for technical uses:

- browsing sessions (connection to user account, technical browsing session);

- simplification of the visit, with adaptation of display criteria to your computer or terminal (language used, display resolution, operating system, browser used, accessibility parameter);
- detection of a previous visit;
- registration of customer preferences;
- automatic re-connection to the customer account (when activated).

These cookies are necessary to the correct functioning of MySessions and to your browsing.

Cookies used for monitoring:

- audience measurement: statistical data on traffic and the use of the Platform (sections and content targeted, click path) in order to measure and study the functioning and efficiency of the Platform, and thus improve the benefit and ergonomics of the services of MySessions;
- comparative tests of several versions of the Platform.

These cookies enable the continuous improvement of the Platform and Services provided by MySessions (benefits, ergonomics,...). We use the services of Google Analytics for this monitoring purpose.

The cookies that collect Google Analytics are the following:

`__utma, __utmb, __utmc, __utmv, __utmz, _ga, _gat_UA-31023104-1, _gid, _gat_UA-79292220-1`

6.4 How are cookies put in place?

When browsing the Platform:

- You are informed of the existence of cookies *via* the navigation banner that appears when You first visit or in case you delete the cookies placed by MySessions or third parties;
- You consent to the placing and use of cookies by every browsing act.

6.5 How do I express my choices concerning cookies?

You can configure Your browsing:

- With Your browser: You can authorize or refuse the saving of cookies on your computer or terminal with the appropriate parameters of your browsing software. These parameters are specific to each browser and are accessible via your browser's help menu:
 - Internet Explorer™: <http://windows.microsoft.com/fr-FR/windows-vista/Block-or-allow-cookies>
 - For Safari™: https://support.apple.com/kb/ph21411?locale=fr_CA
 - For Chrome™: <http://support.google.com/chrome/bin/answer.py?hl=fr&hlrm=en&answer=95647>
 - For Firefox™: <http://support.mozilla.org/fr/kb/Activer%20et%20d%C3%A9sactiver%20les%20...>
 - For Opera™: <http://help.opera.com/Windows/10.20/fr/cookies.html>
- If You wish to deactivate Google Analytics on the Platform, please visit the [deactivation page](#) proposed by Google or uncheck the following box:

