

Personal Data Protection Policy (last updated: 1 October 2018)

I – PERSONAL DATA

PITCHY is concerned about protecting the personal information communicated by its customers (the "Personal Information") and undertakes to ensure the best level of protection for this information in accordance with the European and French regulations applicable to it in terms of protection of personal data and in particular the Law° 78-17 of 6 January 1978 relating to information technology, to files and liberties as amended and any new law, decrees issued for its application such as the Digital Republic Act n°2016-1321 of October 7, 2016 and Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 known as the "RGPD".

This document explains : (i) how, for how long and for what purposes the Personal Information is used; (ii) how the Customer can access, correct, modify or delete the Personal Information that PITCHY holds on him; (iii) to whom PITCHY can, if necessary, disclose it; and (iv) the security measures put in place by PITCHY in order to protect the confidentiality of the Personal Information.

1. Data relating to information transmitted by the Customer for the performance of the Services

Pitchy acknowledges that it is aware of the confidential nature of all nominative data and information contained in the documents and files transmitted by the Customer.

Pitchy undertakes, as a subcontractor within the meaning of article 4 of the RGPD, to only process the information transmitted by the Customer, where applicable, for the execution of the Services within the limits of the object of the present Contract, the instructions and the purpose of the processing as specified in writing by the Customer.

Pitchy expressly guarantees the confidentiality of the personal data processed within the framework of this contract and that the members of its staff and/or its subcontractors likely to access the personal data transmitted by the Customer in his capacity as data controller are all subject to an obligation of confidentiality.

Pitchy undertakes, where applicable, to process the data in accordance with the Customer's documented instructions. If Pitchy considers that an instruction constitutes a violation of the European Data Protection Regulation or any other provision of the law of the European Union or of the law of the Member States relating to data protection, Pitchy will immediately inform the Customer accordingly.

In addition, if Pitchy is required to transfer data to a third country or to an international organisation under EU law or the law of the Member State to which it is subject, Pitchy will inform the Customer of this legal obligation prior to the processing, unless the law concerned prohibits such information for important reasons of public interest.

Pitchy undertakes to take into account, with regard to its tools, products, applications or services, the principles of data protection from the design stage and data protection by default.

As far as possible, Pitchy will help the Customer to fulfil its obligation to respond to requests to exercise the rights of the persons concerned: right of access, rectification, deletion, etc.

and opposition, right to limitation of processing, right to data portability, right not to be subject to automated individual decision making (including profiling).

With the Customer's consent, Pitchy will notify the competent control authority (the CNIL), in the name and on behalf of the Customer, of violations of personal data as soon as possible and, if possible, no later than 72 hours after becoming aware of them, unless the violation in question is not likely to create a risk for the rights and freedoms of natural persons.

With the agreement of the Customer, Pitchy will, in the name and on behalf of the Customer, communicate the violation of personal data to the person concerned as soon as possible, when this violation is likely to create a high risk for the rights and freedoms of a natural person.

At the end of the Agreement, Pitchy undertakes, at the Customer's choice, to :
destroy all personal data; or to return all personal data to the data controller; or to return the personal data to the subcontractor designated by the data controller

2. Customer and User data

2.1. Data collected and purpose of collection

PITCHY collects the Personal Information voluntarily declared to it by the customer and the Users either from the collection forms placed at its disposal either on the Site or directly during the setting up and execution of the Contract.

The information that must imperatively be filled in is marked with an asterisk on the collection form.

Personal Information is processed by PITCHY for the purposes of customer account management, marketing and statistical studies and service quality monitoring, with the aim of providing customers and Users with the most appropriate services.

PITCHY only collects the data strictly necessary for the creation and the follow-up of the customer account of the customer and the User accounts (his name, name of use, first names, sex, date of birth, professional e-mail address, password), the follow-up of the customer relationship such as the realization of satisfaction surveys, the management of complaints and after-sales service as well as the implementation of PITCHY's loyalty, information and promotional actions (such as, in particular, the sending of newsletters) when the customer and the User have expressly wished to subscribe to them.

2.2. Data storage and hosting

Personal Information is stored on encrypted computer files and kept on secure storage servers. The data is temporarily stored by Google Cloud in Belgium for the generation of videos. The permanent storage servers are located in Amazon Web Services' data centers in Europe in Dublin and Paris.

In any event, PITCHY naturally takes appropriate measures to maintain an appropriate level of confidentiality and security of Personal Information during the transfer and upon receipt of the Personal Information, including contractually requiring all its subcontractors and service providers to implement all appropriate technical and organisational measures, on an ongoing basis, to secure Personal Information and to ensure the same level of protection as that required by the RGPD, Law No. 78-17 of January 6, 1978 relating to computers, files and freedoms as amended and any new law, decrees issued for its application such as the Digital Republic Law No. 2016-1321 of October 7, 2016.

2.3 Retention

Personal Information will only be kept at the operational base for the time strictly necessary for the purpose for which it was collected and processed.

The Personal Information will then be archived with restricted access for an additional period of time for limited and legally permitted reasons (payment, warranty, litigation, accounting or archiving obligations...). After this period, they will be deleted.

The retention periods are as follows:

XX

2.4. Transmission of Personal Information

PITCHY will never transmit the Personal Information to any third party likely to use it for its own purposes and in particular for commercial and/or direct advertising purposes, without the prior express consent of the Customer and the Users.

PITCHY may disclose Customer's Personal Information to legally authorised bodies and authorities to the extent that disclosure is required or authorised by law, or when PITCHY deems it necessary or appropriate to comply with applicable laws and other texts, or to protect or defend its rights or those of its employees, customers or any other person.

PITCHY may disclose Customer Personal Information to third parties in the event of an assignment, transfer of assets, reorganization or liquidation. PITCHY will then notify the customer if his or her Personal Information will be subject to a different privacy policy.

The Personal Information collected may possibly be communicated to third parties linked to PITCHY by contract for the execution of sub-contracted tasks necessary for the management of customer accounts or the execution of orders placed on the Website or by any other means.

Except with the express agreement of the customer at the time of the collection of their Personal Information, PITCHY cannot transmit the Personal Information to its partners (including the companies of the group to which it belongs) for the purposes of communication and/or canvassing, in particular by electronic, postal or telephone means.

Even after having given their agreement, the Users may oppose the continuation of this communication by sending a letter to PITCHY at the following address: 46 avenue Niel 75017 Paris

The Customer and the Users are informed that data concerning them may be transmitted for the purposes mentioned above to companies located in countries outside the European Union that have a lower level of data protection than in the European Union. Prior to any transfer outside the European Union, PITCHY will take all necessary measures and guarantees to secure such transfers.

2.5. Security In accordance with the RGPD, with the law n°2018-133 of February 26, 2018 "carrying various provisions of adaptation to the law of the European Union in the field of security and with the Law n° 78-17 of January 6, 1978 relating to data processing, the files and freedoms modified and

any new law, decrees taken for its application such as the Law "République Numérique" n°2016-1321 of October 7, 2016, PITCHY undertakes to take all useful precautions, with regard to the nature of the data and the risks presented by the processing, to preserve the security of the personal data concerning the Customer and the Users and, in particular, to prevent its personal data from being distorted, damaged, or that unauthorised third parties have access to it.

2.6. Responsible for processing and customer rights

2.6.1 Controller

The data controller is PITCHY BTOS PROD, a single-person simplified joint stock company with a share capital of 1,742.93 euros, registered in the Paris Trade and Companies Register under number 799 416 011, whose registered office is located at 46, avenue Niel - 75017 PARIS.

2.6.2 User Rights

In accordance with the RGPD, the Law No. 78-17 of January 6, 1978 relating to data processing, files and freedoms as amended and any new law, decrees issued for its application such as the Digital Republic Law No. 2016-1321 of October 7, 2016, the User may :

- access all his data: this right allows the User to ask questions to PITCHY about the nature of the processing concerning him and to request a copy of all the information concerning him. This right applies whatever the legal basis of the processing (contract, legal obligation, consent, legitimate interest, etc.). - to object to the processing of his/her data: this is the right to not appear in a data processing operation or to no longer appear in it. This right applies when the processing is based on PITCHY's "legitimate interest"; - to rectify, update, complete and delete its declarative data; - to request the portability of its data; - to request a limitation of the processing carried out by PITCHY in relation to its Data: this right may be exercised when one of the following grounds applies :

the accuracy of the personal data is contested by the data subject, for a period of time allowing the data controller to verify the accuracy of the personal data;

the processing is unlawful and the data subject objects to their erasure and instead demands 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 whether the legitimate grounds pursued by the controller prevail over those of the data subject.

Furthermore, the User has the possibility to communicate to PITCHY guidelines on the conservation, erasure and communication of his/her Personal Data after his/her death, which guidelines may also be registered with a "certified digital trusted third party". These instructions, or a kind of "digital will", may designate a person in charge of their execution; failing this, his heirs will be designated.

In the absence of any directives, the User's heirs may contact PITCHY in order to :

- access the processing allowing "the organization and the settlement of the deceased's succession";

- receive communication of "digital goods" or "data similar to family memories, transmissible to the heirs";

- have the customer's account closed and oppose the further processing of his or her Personal Information.

In order to exercise his rights, the customer can send his request (indicating his e-mail address, surname, first name, postal address and a copy of his identity document):

- By e-mail to the following address: contact@pitchy.fr - By post to the following address: 46 avenue Niel 75017 Paris

A reply will be sent within a maximum of one (1) month following the date of receipt of the request.

The customer may at any time, make a complaint to the competent control authority (in France, the CNIL: www.cnil.fr).

II- COOKIES

A "cookie" is a file installed on the User's terminal, enabling the storage of information relating to his navigation on the PITCHY website with the aim, in particular, of authenticating users, memorising their preferences and parameters, determining the popularity of content, distributing advertising campaigns and measuring their effectiveness, analysing site traffic and, more generally, understanding the online behaviour and interests of the people who interact with the PITCHY services.

Cookies may have a variable lifetime. Session cookies" persist only if the User's browser is open. They are automatically deleted when the User closes his browser. Other cookies are "permanent cookies", which means that they continue to be active once the browser is closed. They can recognize, for example, the User's device when the User opens a new browser session.

The purpose of the paragraphs below is to give the User information concerning the cookies used by PITCHY or its partners when the User uses the Site and to offer him/her a solution to adapt his/her choice.

1 - Cookies PITCHY

PITCHY uses cookies. A cookie is a computer file, stored on the hard disk of the User's micro-computer. Its purpose is to indicate the User's previous visit to the Site, and therefore does not allow identification or constitute Personal Information. Cookies are only used by PITCHY in order to personalise the Services offered to Users.

2 - Third party cookies

When the User accesses the Website, one or more cookies from partner companies are likely to be placed on his computer.

PITCHY has no access and cannot exercise any control over third party cookies.

However, PITCHY ensures that the partner companies agree to process the information collected on the Website in compliance with the law and undertake to implement appropriate measures to secure and protect the confidentiality of the data.

3 - Cookie management

There are several ways to manage cookies. At any time, the User can express and modify his wishes regarding cookies, via the Help section of the toolbar of his browser. This section indicates how to refuse new "cookies" or obtain a message indicating that they have been received, or how to deactivate "cookies" either systematically or according to their sender. The User can also delete cookies manually.

The User may also choose to deactivate or delete similar data used by software accessory to his browser, such as Flash cookies, by modifying the parameters of this software or by visiting the website of the publisher of this software.

Attention, it is possible that this configuration of the browser may deprive the User of access to certain content or significantly disrupt his navigation and the services he expects from the Site. In this case, PITCHY declines all responsibility for the consequences linked to the Site's degraded behaviour resulting from the impossibility of using the cookies necessary for its operation.

For the management of cookies, each browser proposes a configuration process. It is described in the help menu of the browser, which will allow the User to know how to express his wishes in terms of cookies:

For the Internet Explorer™: open the "Tools" menu, then select "Internet Options"; click on the "Confidentiality" tab then the "Advanced" tab, choose the desired level or follow this link:
<http://windows.microsoft.com/fr-FR/windows-vista/Block-or-allow-cookies>

For Firefox™: open the "Tools" menu, then select "Options"; click on the "Privacy" tab and choose the desired options or follow this link:
<http://support.mozilla.org/fr/kb/Activer%20et%20d%C3%A9sactiver%20les%20cookies>

For Chrome™: open the configuration menu (wrench logo), then select "Options"; click on "Advanced Options" then in the "Confidentiality" section, click on "Content Settings", and choose the desired options or follow this link:
<http://support.google.com/chrome/bin/answer.py?hl=fr&hlrm=en&answer=95647> For Safari™: choose "Safari > Preferences" then click on "Security"; In the "Accept Cookies" section choose the desired options or follow this link:
<http://docs.info.apple.com/article.html?path=Safari/3.0/fr/9277.html>

For Opera™: open the "Tools" or "Settings" menu, then select "Delete Private Data"; click on the "Detailed Options" tab, then select the desired options or follow this link:
<http://help.opera.com/Windows/10.20/fr/cookies.html>

On mobile mode :

To specify whether or not Safari™ accepts cookies:

1. From the main screen, select Settings > Safari.
2. Touch Accept Cookies and select Never, Sites Visited, or Always.

To clear all cookies in Safari :

1. From the main screen, select Settings > Safari.
2. Touch Clear Cookies.

To delete cookies on Android :

1. Menu > Settings > Clear all cookies