
Notice of the Controller on processing of personal data of Data Subjects – Customers

in accordance with the Article 13 of 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 (hereinafter the „GDPR“) and in accordance with the Section 19 Slovak Act No. 18/2018 Coll. on Protection of Personal Data as amended (hereinafter the „Act“)

(hereinafter the „Information“)

Company:

Business name: **ZUTOM s.r.o.**
Registered seat: Záhradnícka 74, 821 08 Bratislava, Slovak Republic
Company ID no: 35 740 019
Registration: with the Commercial Register maintained by Bratislava I
Section Sro Insert 16672/B
Representation: Tomáš Kurtha, executive
Contact: gdpr@zutom.com, +421 2 2063 3333

(hereinafter referred to as the „Company“ or „Controller“),

informs the Data Subjects about the protection of personal data (also as the „PD“) in accordance with the provisions of Art. 13 of the GDPR and § 19 of the Act as follows:

1. **Data Subject**, for the purposes of this Information, shall mean a natural person to whom the Controller provides his products and services, who acts on behalf of the legal entity to whom the Controller provides his products and services, whose personal data are processed by the Controller for product analysis of the services, to whom the Controller sends the newsletter, or who contacts the Controller via a contact form or chat box, to whom the Controller sends the evaluation questionnaire, to whom the Controller sends an e-mail and/or SMS to inform about the availability of services, whose personal data is published for the purpose of the Controller's marketing or who is interested in a job with the Controller.
2. **The Controller's legal position towards Data Subject is that of the Controller under GDPR and the Act**, i.e. a person who, alone or together with others, defines the purpose and means of processing the PD and processes PD in its own name.
3. **The Controller's or a third party's legitimate interests where the PD are processed according to Art. 6 (1) f) of GDPR and Section 13 (1) f) of the Act** (*Article 13 (1) d) of GDPR and Section 19 (1) d) of the Act*):
The Controller processes PD on the above legal basis for natural persons to whom the Controller has provided a product or service and sends them a newsletter to support the products or services. Data Subject may at any time choose to opt out from being contacted in such a way. After choosing to opt out, respective Data Subjects shall no longer be contacted by the Controller.

The Controller also provides products and services to contractual partners who are legal entities (the „Client“), and the Controller communicates with natural persons representing the Client when providing products and services. Such natural persons are the statutory members, employees or external co-workers of the Client. In such case, the Controller processes the personal data of such Data Subjects on the basis of a legitimate interest, as such natural persons are not a contracting party to the provision of products and services to the Client.

The Controller processes personal data on the basis of a legitimate interest also when sending out an evaluation questionnaire in order to obtain feedback regarding his products and services, and when processing personal data for the purpose of informing about the availability of the Controller's products or services.

4. **The Controller collects** PD mainly through his websites www.zutom.sk, www.zutom.com and www.zaip.one.
5. **Identification of the recipient or category of recipient, if any** (*Article 13 (1) e) of GDPR and Section 19 (1) e) of the Act*):
 - a. an external provider of data repository and external software services,
 - b. external co-worker,
 - c. external marketing services provider,
 - d. external payment service provider.
6. **Information about whether the Controller intends to transfer personal data to a third country or international organization, identification of the third country or international organization** (*Article 13 (1) f) of GDPR and Section 19 (1) f) of the Act*): The Controller contemplates such transfer, especially in the case of an external data storage provider with external software or an external marketing services provider, but always with an emphasis on measures taken to ensure the protection of personal data. The transfer is done to the following countries: USA, Great Britain, Australia, Colombia, Singapore, Japan.
7. **The Controller processes the following Client's PD, for the purposes, on the legal basis and for the period of processing as follows** (*Article 13 (1) c, e) and (2) e) of GDPR and Section 19 (1) c, e) and (2) a) of the Act*):

List of personal data being processed	Purpose of personal data processing <i>(Article 5 (1) of GDPR and Section 7 of the Act)</i>	Legal basis for personal data processing <i>(Article 6 (1) of GDPR and Section 13 (1) of the Act)</i>	Legal/contractual requirement/requirement necessary for the conclusion of the Agreement/Data Subject's obligation to provide personal data/possible consequences of not providing personal data <i>(Article 6 (1) of GDPR and Section 13 (1) of the Act)</i>	Time Period of personal data processing <i>(Article 5 (1) e) of GDPR and Section 10 of the Act)</i>
<p>Personal data concerning the provision of the Controller's products and services:</p> <ul style="list-style-type: none"> i. Identification data: title, name, surname, payment details ii. Contact details: address of permanent/temporary residence or other postal address, telephone number, e-mail iii. Registration and use of a user account in the Cloud portal in order to install, change and manage the services provided, to the following extent: name, surname, e-mail, telephone number, IP address in relation to the place from where the person is connected iv. Installation and administration of services provided through ZAIP Connector, to the following extent: user's e-mail address, IP address 	<p>Identification of the Contracting Party to the Agreement and processing of personal data for the purpose of installation, change and administration of the services provided.</p> <p>Fulfillment of the Controller's legal and contractual obligations arising from generally binding laws (<i>especially accounting laws</i>) and from the Agreement.</p>	<p>The processing of personal data is necessary to perform the Agreement which the Data Subject is a Party to, or to implement a pre-contractual measure at the Data Subject's request (<i>Article 6 (1) b) of GDPR and Section 13 (1) b) of the Act</i>) in connection with special regulations or international agreements by which the Slovak Republic is bound (<i>Article 6 (1) c) of GDPR and Section 13 (1) c) of the Act</i>)</p>	<p>The provision of personal data is a requirement that is necessary to conclude the Agreement between the Data Subject and the Controller or to implement a measure before the conclusion of the Agreement. it is then a contractual requirement in connection with the requirements arising from special legal regulations.</p> <p>Failure to provide personal data will make it impossible to identify the Data Subject, and thus also the impossibility of concluding the Agreement establishing cooperation between the Data Subject and the Controller, and the impossibility of fulfilling legal obligations.</p>	<p>For the duration of the cooperation and under the laws of the Slovak Republic.</p>

<p>Personal data concerning persons acting on behalf of the contracting party (of the Client), to the following extent:</p> <p>i. Identification data: title, name, surname, occupation/job/function and/or identification of the entity represented by the Data Subject</p> <p>ii. Contact details: telephone number, e-mail</p> <p>iii. Registration and use of a user account in the Cloud Portal in order to install, change and manage the services provided, to the following extent: name, surname, e-mail, telephone number, identification of the entity represented by the Data Subject, IP address in relation to the place from where the person is connected</p> <p>iv. Installation and management of services provided through ZAIP Connector, to the following extent: user's e-mail, identification of the entity represented by the Data Subject, IP address</p>	<p>Communication with natural persons acting on behalf of the Contracting Party (<i>of the Client</i>) for the purpose of concluding or performance of the Agreement, installation, change and administration of services provided</p>	<p>Controller's Legitimate interest (<i>Article 6 (1) f) of GDPR and Section 13 (1) f) of the Act</i>)</p>	<p>Controller's Legal authorization</p> <p>Data Subject may object to the processing at any time.</p> <p>Failure to provide personal data may make it impossible to perform the concluded Agreement.</p>	<p>For the time period necessary for the conclusion and performance of the Agreement.</p>
<p>Personal data processed through the product analytics of use of the Cloud portal, to the following extent: username, e-mail, identification of the entity represented by the Data Subject, IP address, name, date and time of the performed operation</p>	<p>Analysis of the use and availability of services provided to ensure the full provision of the Controller's services</p>	<p>Controller's Legitimate interest (<i>Article 6 (1) f) of GDPR and Section 13 (1) f) of the Act</i>)</p>	<p>Controller's Legal authorization</p> <p>Data Subject may object to the processing at any time.</p> <p>Failure to provide personal data may make it impossible to perform the concluded Agreement.</p>	<p>For a period of 6 (<i>six</i>) months from the date of the first record.</p>

Title, name, surname, e-mail for the purpose of sending the newsletter	Sending out general advertising announcements about the Controller's products and services and information leaflets about the Controller's activities to persons who have requested so on the Controller's website or gave their written consent	Consent of the Data Subject to the processing of his/her personal data for at least one specific purpose (<i>Article 6 (1) a) of GDPR and Section 13 (1) a) of the Act</i>)	Voluntary provision of data. Failure to give consent will cause product and services commercial offers not being sent.	For a period of 3 (<i>three</i>) years, or until consent is withdrawn.
Title, name, surname, e-mail for the purpose of sending the newsletter	Sending out advertising announcements about the Controller's products and services and information leaflets about the Controller's activities to persons with whom the Controller has had a previous legal relationship	Controller's Legitimate interest (<i>Article 6 (1) f) of GDPR and Section 13 (1) f) of the Act</i>)	Controller's Legal authorization Data Subject may opt out of receiving newsletters at any time	For a period of 3 (<i>three</i>) years, or until such time of delivery of a request to opt out of receiving the newsletter
Personal data collected through the contact form : in particular name, surname, e-mail, company represented by the Data Subject and, where appropriate, other personal data given in the text of the message sent	Collection of personal data via the contact form for the purpose to keep the inquiries and prepare a response to the Data Subject's inquiry	Consent of the Data Subject to the processing of his/her personal data for at least one specific purpose (<i>Article 6 (1) a) of GDPR and Section 13 (1) a) of the Act</i>)	Voluntary provision of data. Possible consequences of failure to provide personal data will cause the Personal Data of the Data Subject not to be used for the intended purpose and the Controller may not provide the required answer to the inquiry	For the duration of the consent for which the Data Subject has given his/her consent (<i>1 year</i>)
Title, name, surname, photograph, occupation/job, name of the company that the person represents for marketing purposes	Use and publication of the Data Subject's personal data in video, audio and/or audio recordings, in advertising materials, on social networks and on the Controller's website for the purpose of marketing the Controller and his activities	Consent of the Data Subject to the processing of his/her personal data for at least one specific purpose (<i>Article 6 (1) a) of GDPR and Section 13 (1) a) of the Act</i>)	Voluntary provision of data. Possible consequences of failure to provide personal data will cause the Personal Data of the Data Subject not to be used for the intended purpose	For the duration of the consent for which the Data Subject has given his/her consent (<i>5 years</i>)
Personal data collected through the chatbox : in particular name, surname, telephone number, e-mail, and other personal data given in the communication	Collection of personal data via the chatbox, in particular for the purpose of processing a purchase order, complaint or claim	The processing of personal data is necessary to perform the Agreement which the Data Subject is a Party to, or to implement a pre-contractual measure at the Data Subject's request	The provision of personal data is a requirement that is necessary to conclude the Agreement or acts to conclude the Agreement, to handle a complaint or grievance.	For the duration of the cooperation and under the laws of the Slovak Republic.

		<i>(Article 6 (1) b) of GDPR and Section 13 (1) b) of the Act)</i>	Failure to provide personal data will make it impossible to identify the Data Subject, and thus also render it impossible to conclude the Agreement, to handle a complaint or grievance.	
Personal data to the extent of e-mail and/or telephone number in order to inform about the availability of products and services	Processing of personal data for the purpose of informing the Data Subject about the availability and quality of provided products and services	Controller's Legitimate interest <i>(Article 6 (1) f) of GDPR and Section 13 (1) f) of the Act)</i>	It is necessary to process personal data in order to fulfill the Agreement. Personal data are collected on the basis of a concluded Agreement or on the basis of the Data Subject's special inquiry. Data Subject may opt out of sending of such information at any time.	For the duration of the cooperation, or until provision of information is further refused.
Personal data processed by means of an evaluation questionnaire : in particular name, surname, e-mail	Processing of personal data for the purpose of obtaining feedback regarding the products and services provided	Controller's Legitimate interest <i>(Article 6 (1) f) of GDPR and Section 13 (1) f) of the Act)</i>	Controller's Legal authorization. Data Subject is not obliged to send an evaluation questionnaire.	For a period of 1 <i>(one)</i> year from the date of delivery of the evaluation questionnaire
Personal details given in the CV, cover letter and any attachments , in particular: i. Identification data : name, surname, name at birth, title, date of birth, sex, place of birth, citizenship, nationality ii. Contact details : address of permanent/temporary residence or domicile, telephone number, e-mail iii. Qualification details : information about education, previous employers, certificates of passed examinations and educational activities, information given in the CV and cover letter.	Processing of PD for the purpose of selecting a suitable job applicant	Pre-contractual relations between the job applicant and the Controller <i>(Article 6 (1) b) of GDPR and Section 13 (1) b) of the Act)</i>	Failure to provide personal data will cause the Controller not to have basic data about the Data Subject and will not be able to objectively assess whether the Data Subject is a suitable job applicant for the Controller.	During the hiring procedure
	Keeping records of suitable job applicants in the Controller's database	Consent of the Data Subject to the processing of his/her personal data for at least one specific purpose <i>(Article 6 (1) a) of GDPR and Section 13 (1) a) of the Act)</i>	If the consent of the Data Subject is not granted, the Controller shall destroy/return all submitted documents after the end of the hiring procedure.	One (1) year after the end of the hiring procedure and granting the consent.

8. The existence of the right to request from the Controller access to and rectification or erasure of personal data or restriction of processing concerning the Data Subject or to object to processing as well as the right to data portability:

Right of access by the Data Subject

The Data Subject shall have the right to obtain from the Controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- a. The purposes of the processing;
- b. The categories of personal data concerned;
- c. The recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d. Where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. The existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the Data Subject or to object to such processing;
- f. The right to lodge a complaint with a supervisory authority;
- g. Where the personal data are not collected from the Data Subject, any available information as to their source;
- h. The existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) GDPR or in Section 28 (1) and (4) Act and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the Data Subject

The Controller will provide a copy of the personal data that is being processed. Any additional copies requested by the User may be charged by the Controller for an appropriate fee corresponding to the administrative costs. Where an application is submitted by electronic means, the information shall be provided in the commonly used electronic form, unless a different mean is requested.

Information must be provided immediately, not later than within 1 month. The Controller has the right to prolong the processing time of the application for another 2 months if the request is complex or frequent. However, the notification must be made within one month of the reason for the extension of the processing period.

In the case of an unjustified or too frequent request, the Controller has the right to charge a reasonable charge or to reject the application. It must explain the reason for the refusal and the right to refer the complaint to the supervisory authority.

Right to rectification

The Data Subject shall have the right to obtain from the Controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the Data Subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Information must be provided immediately, not later than within 1 month. The Controller has the right to prolong the processing time of the application for another 2 months if the request is complex or frequent. However, the notification must be made within one month of the reason for the extension of the processing period.

In the case of an unjustified or too frequent request, the Controller has the right to charge a reasonable charge or to reject the application. It must explain the reason for the refusal and the right to refer the complaint to the supervisory authority.

Right to erasure ('right to be forgotten') or right to restriction of processing

The Data Subject shall have the right to obtain from the Controller the erasure of personal data concerning him or her without undue delay and the Controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a. The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b. The Data Subject withdraws consent on which the processing is based according, and where there is no other legal ground for the processing;
- c. The Data Subject objects to the processing and there are no overriding legitimate grounds for the processing, or the Data Subject objects to the processing;
- d. The personal data have been unlawfully processed;
- e. The personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject;
- f. The personal data have been collected in relation to the offer of information society services referred.

Previous two sentences shall not apply to the extent that processing is necessary:

- a. For exercising the right of freedom of expression and information;
- b. For compliance with a legal obligation which requires processing by Union or Member State law to which the Controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller;
- c. For reasons of public interest in the area of public health
- d. For archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e. For the establishment, exercise or defence of legal claims.

The Data Subject shall have the right to obtain from the Controller restriction of processing where one of the following applies:

- a. The accuracy of the personal data is contested by the Data Subject, for a period enabling the Controller to verify the accuracy of the personal data;
- b. The processing is unlawful and the Data Subject opposes the erasure of the personal data and requests the restriction of their use instead;
- c. The Controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- d. The Data Subject has objected to processing pending the verification whether the legitimate grounds of the Controller override those of the Data Subject.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the Data Subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

Right to object

Where personal data are processed for direct marketing purposes, the Data Subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the Data Subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

Right to data portability

The Data Subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a Controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another Controller without hindrance from the Controller to which the personal data have been provided, where:

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

The Controller has a data portability period of time of 1 month; it can be extended by 2 months if the portability is complicated. They must provide information about this and explain why the extension has occurred. In the event that the Controller does not take the steps required for data portability, they must inform the Data Subject about the reasons and on their right to file a complaint with the supervisory authority

9. Right to withdraw consent to processing of personal data at any time (*Article 13(2)(c) of GDPR and Section 19(2)(c) of the Act*):

The Data Subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

10. The right to file an application under Section 100 of the Act or a complaint to the supervisory authority pursuant to Article 77 GDPR:

Without prejudice to any other administrative or judicial remedy, every Data Subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the Data Subject considers that the processing of personal data relating to him or her infringes GDPR.

The User has the right to file a petition for personal data protection with the Personal Data Protection Office. The purpose of the procedure is to determine whether the rights of natural persons have been violated in the processing of their personal data or that a law or a specific privacy policy has been breached and, if it is found to be inappropriate, to impose remedies or a fine for violation of the Act or a special regulation for the protection of the personal data.

The petition must include:

- a. Name, surname, correspondence address and signature of the petitioner,
- b. Identification of the subject against which the proposal is directed, including the name, surname, permanent address or name, registered office and identification number, if assigned,
- c. The subject of the proposal, indicating the rights to be violated in the processing of personal data,
- d. Evidence to support the claims made in the proposal,
- e. A copy of the document or other evidence of the exercise of the right under the law or a special regulation, if such a right is invoked by the User, or a statement of reasons worthy of special consideration for the non-application of the right in question, if the application was filed by the User.

A petition's template will be published at the Personal Data Protection Office's website (<https://dataprotection.gov.sk/uoou/en>).

11. Existence of automated individual decision-making, including profiling (*Article 13 (2) f) of GDPR and Section 19 (2) f) of the Act*):

The Controller does not use automated individual decision-making. Data Subjects' personal data included in the CRM System are evaluated mainly in connection with the requests of Data Subjects (*e.g. on the basis of evaluation of the inquiry sent by Data Subject via the contact form*). However, the evaluation system does not carry out automated decision-making without human intervention, which could have an impact on the Data Subject's rights.

In Bratislava, on 1st October 2021

ZUTOM s.r.o.

Tomáš Kurtha, executive