



## PRIVACY AND DATA PROTECTION

We inform you that in order to access certain content or services it will be necessary to provide personal data. Users will guarantee the veracity, accuracy and authenticity of the data. **MAM OBJECTS SOCIEDAD LIMITADA** will preserve the **confidentiality and security** of their personal data and will give them the corresponding automated processing depending on their nature or purpose, in the terms indicated in the Data Protection Policy Section.

It is important, and given the European regulations on Data Protection Regulation EU 2016/679 of the European Parliament and Council, read the Basic Information. You should also know that leaving your data does not attribute, confirm, annul, legitimize, or perfect any contractual relationship with our company.

### BASIC INFORMATION

**RESPONSIBLE OF TREATMENT: MOM OBJECTS S.L. B95631107 PARK TECHNOLOGICAL ED. 207-B 48160 DERIO info@erictel.com - 94675713**

### PRINCIPLES RELATING TO TREATMENT:

Your personal data will be processed:

- In a **lawful, loyal and transparent manner** in relation to the interested party
- Collected for **specific, explicit and legitimate purposes**, and will not be further processed in a manner incompatible with those purposes; for archival purposes in the public interest, for scientific and historical research purposes or for statistical purposes shall not be deemed incompatible with the initial purposes.

- **Adequate, relevant and limited** to what is necessary in relation to the purposes for which they are processed.
- **Accurate and, if necessary, up-to-date**; All reasonable steps will be taken to ensure that personal data that is inaccurate with respect to the purposes for which they are processed is deleted or rectified without delay.
- Kept in such a way as to allow the **identification of data subjects for no longer than is necessary for the purposes of the processing** of the personal data; personal data may be retained for longer periods provided that they are processed exclusively for archival purposes in the public interest, scientific or historical research purposes or statistical purposes,
- Processed in such a way as to ensure **adequate security of personal data**, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, through the application of appropriate technical or organisational measures.

**LANGUAGE:** The language applicable to this Privacy Policy is Spanish. Therefore, in the event of any contradiction in any of the versions provided in other languages, the Spanish version will prevail. As far as the interpretation of contracts is concerned, specific attention will be paid to articles 1281 et seq. of the Civil Code.

**PURPOSES:**

- To manage IT services to customers within the scope of our corporate purpose.
- To attend to their demands, invoice these services, manage withdrawals from the contract and refunds within the legal deadlines provided for in Law 34/2002, of 11 July, on information society services and electronic commerce, Royal Legislative Decree 1/2007, of 16 November, which approves the revised text of the General Law for the Defence of Consumers and Users and other complementary laws.
- To send you advertising and promotions related to our corporate purpose in accordance with your areas of interest, by any means, whether postal, telematic; or

through fixed or mobile telephony means. As well as, invite them to events organized by the company both in person and online.

#### **REGULATORY COMPLIANCE:**

We reserve the right to store and retain information provided by you, including the services used, information including account information and personal data to comply with applicable laws, when it is necessary to provide evidence in arbitration or court, keeping them blocked and pseudonymized, to ensure their security, secrecy and confidentiality.

#### **LEGALITY:**

We will not process data without explicit consent for each of the purposes, only when:

- When it is necessary for the performance of a contract to which the interested party is a party or for the application of pre-contractual measures at the request of the latter.
- When it is necessary for compliance with a legal obligation applicable to the data controller.
- Where necessary, processing is necessary to protect the vital interests of the data subject or another natural person;
- When it is necessary for the satisfaction of legitimate interests pursued by the controller or by a third party, provided that those interests are not overridden by the interests or fundamental rights and freedoms of the data subject that require the protection of personal data, in particular when the data subject is a child.

To this end, we will ensure that there are adequate safeguards, which may include encryption or pseudonymization of the data, to protect the user's identity.

#### **DATA PROTECTION OFFICER:**

For any request relating to your fundamental rights as described in Article 8(1) of the Charter of Fundamental Rights of the European Union and Article 16(1) of the Treaty on

the Functioning of the European Union (TFEU), which states that everyone has the right to the protection of personal data concerning him/her, Universal Declaration of Human Rights in Article 12, Article 17 of the International Covenant on Civil and Political Rights adopted by the United Nations Assembly, Article 11 of the American Convention on Human Rights, also known as the Pact of San José, Costa Rica, and those described in Articles 14 to 29 of the Spanish Constitution. **You may contact: info@erictel.com – legal@cursorconsulting.es** **LEGITIMATION:**

Consent, contractual relationship and legitimate interest.

**LEGAL BASIS:**

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 shall not transfer their personal data under any circumstances, Organic Law 3/2018 of 5 December 2018 on the Protection of Personal Data and Guarantee of Digital Rights, Law 34/2002, of 11 July, on information society services and electronic commerce. Royal Legislative Decree 1/2007, of 16 November, approving the revised text of the General Law for the Defence of Consumers and Users and other complementary laws.

**RECIPIENTS:**

We transfer data to third parties, such as: hosting operators, operators who manage software to offer you the services, operators who manage the website; others that maintain our computer applications that allow us to manage our services on a regular basis, which are essential for the management of our activity.

**DURATION:**

The data provided will be kept for a period of 5 years from the last contract, if it is not that you have not previously requested the blocking or deletion of them; or, what is prescribed in the tax legislation. The tax data will be kept for 5 years by legal prescription.

**DATA QUALITY:**

All data requested through the website is mandatory, as it is necessary for the provision of an optimal service to the user. In the event that not all the data is provided, the provider does not guarantee the provision of the requested services.

The user will be solely responsible for the veracity and updating of the data provided through the different forms on the website.

**PROFILING:**

We do not process your personal data in an automated manner for profiling on the website, except for statistics that do not compromise any fundamental rights of the data subjects.

Some of the services we provide collect geolocation data, in these cases the users of the same have been informed of the scope and times in which they are stored.

**ADDITIONAL INFORMATION:**

You may at any time request additional information about your personal data ("second layer"), at the same address that we provide you in order to exercise your rights.

**MINORS:**

Our services are not directed to minors or incapacitated persons. We understand that they have the authorization and consent of their parents, guardians or legal representatives. It will be under your responsibility, the use of these, either due to negligent supervision fault, which could cause non-contractual liability.

**DIGITAL WILL:**

Persons linked to the deceased for family or de facto reasons, as well as their heirs, may contact the data controller in order to access said content and give them the instructions they deem appropriate on its use, destination or deletion, provided that they are direct relatives and vital interests are compromised, for which it will be necessary to fill in a form and make the request in writing proving identity.

The aforementioned persons may not access the contents of the deceased, or request its modification or deletion, when the deceased person has expressly prohibited it or is so established by law.

## **INTERNATIONAL DATA TRANSFERS**

In some cases, in order to offer you a better service, we may carry out international data transfers that will be governed by the provisions of [Regulation \(EU\) 2016/679](#) and with different legal supports provided for therein:

- By your explicit consent, keeping all the legal guarantees to protect your privacy, with maximum security by keeping the data secret and confidential.
- Through contractual clauses defined in [Article 46.2.c\) of Regulation \(EU\) 2016/679](#), which will be previously submitted to the opinion of the European Data Protection Board provided for in Article 64 of the Regulation.
- Binding corporate rules in accordance with Article [47 of Regulation \(EU\) 2016/679](#).
- International transfers of data to countries or international organisations that do not have an **adequacy decision** approved by the Commission or that do not rely on any of the guarantees provided for in the previous article and in [article 46.2 of Regulation \(EU\) 2016/679](#), will require prior authorisation from the Spanish Data Protection Agency.

## **RIGHTS:**

You may exercise the rights of access, rectification, cancellation and/or opposition, as well as the right to limit the purpose and portability. You can contact our email address: **info@erictel.com**; or our postal address by contacting the person responsible for our company's File. To do this, it will be necessary to provide the personal data and documents that prove it, together with your request.

To do this, it is necessary that you yourself, or through a legally authorized person, provide the following. Documents:

- Photocopy of ID

- Sufficient identification and representation.
- Explanation and purpose of the complaint.
- Address to send communications, or email, to contact you as soon as possible.

#### **ADDITIONAL INFORMATION:**

You have the right to obtain confirmation about how our company is processing your personal data. You therefore have the right to access your personal data, inaccurate data or request its deletion when the data is no longer necessary for the purposes for which it was collected at any time, simply and free of charge.

Also **unsubscribe** from receiving promotional messages, in compliance with LSSICE 34/2002. To do this, it is necessary to provide the following data:

- Name of the company and details of its representative.
- Postal and email address where you want to receive communications.
- A clear request, which does not need to be motivated.

#### **RIGHTS**

**Right of access:** allows the interested party to know and obtain information about their personal data subject to processing.

**Right of rectification or deletion:** allows errors to be corrected and those that turn out to be inaccurate or incomplete to be modified.

**Right to erasure:** to allow the deletion of items that are found to be inappropriate or excessive.

**Right to object:** the right of the interested party not to complete the processing of their personal data or to cease the processing.

**Limitations of Processing:** entails being able to limit the processing of the personal data stored, in order to limit future processing.

**Data portability:** The duty on the part of the Data Controller to provide the data subject to processing of the data subject, and to transmit it to another Data Controller, provided that it is in an automated format.

**Right not to be subject to automated individual decisions (including profiling):** the right not to be subject to decisions based solely on automated processing that may infringe the fundamental rights of the data subject.

**Right to withdraw consent:** As a user, you have the right to withdraw the consent given at any time. The withdrawal of consent shall not affect the lawfulness of the processing carried out prior to the withdrawal of this consent.

You can always contact the supervisory authority, in this case the Spanish Data Protection Agency.

Data Protection if you believe your requests have not been attended to [www.agpd.es](http://www.agpd.es)

#### **SECURITY MEASURES**

The data you provide will be treated confidentially. The Data Controller has adopted all the technical and organisational measures and all the levels of protection necessary to guarantee security in the processing of the data and prevent its alteration, loss, theft, unauthorised processing or access, in accordance with the state of the technology and nature of the data stored.

Likewise, it is also guaranteed that the processing and recording of files, programs, systems or equipment, premises and centers comply with the requirements and conditions of integrity and security established in current regulations

## **CODE OF CONDUCT**

**MAM OBJECTS SOCIEDAD LIMITADA** undertakes that the contents of its services:

- They shall not induce or promote sexual, racial or religious discrimination or any other violation of fundamental rights and public freedoms recognised by the Spanish Constitution or EU regulations. They shall not induce or incite unlawful action.
- They will not lead to erroneous conclusions as a result of their inaccuracy, ambiguity, exaggeration, omission or the like.
- They must not induce an unacceptable state of anxiety or fear, or take advantage of or exploit the user's state of economic, work, or personal need.
- They shall not induce or incite any person to engage in dangerous practices that are risky or that threaten health or mental balance.
- They will not infringe the legal or regulatory rules on the secrecy of communications, intellectual property, right to honour and personal or family privacy, or any other provision applicable to the nature of the service.
- Not contain false information.
- Services that include requests for information or personal data, including name, address or other data, including landline or mobile phone numbers, must be adequate, relevant and not excessive in relation to the purpose for which they are collected.

### **Users have the right to:**

- To receive objective, prior, accurate and complete information on the conditions of provision of the products offered to them.
- Receive the services under the conditions offered or agreed with the company or the provider.
- Obtain the documents accrediting the terms of the contract and the invoices for the products paid, issued in accordance with current regulations.
- Formulate the complaints they consider pertinent and obtain without delay the official form to raise them and the appropriate guidance to fill them in.

- To request and obtain the actions of the arbitration bodies regulated by the applicable legislation.
- To request and receive assistance from the administrations, when necessary for the defence of their rights as users, regardless of their origin and destination and without prejudice to the competences of other bodies and authorities.