

## **Privacy policy concerning the processing of customer and website user personal data**

Wonka AI (hereinafter 'we', 'us' and 'our') understands the importance of the privacy of its customers and users of its website visitors and the protection of their personal data. This policy sets out how we handle and process your personal data.

### **1. Scope**

Wonka AI BV, with its registered office at Luikersteenweg 165, 3500 Hasselt, KBO (Crossroads Bank for Enterprises) number 0800 787 953 manages this website. We act as the data controller when we process our customers' and website users' personal data.

We believe it is important to create and maintain an environment where our customers can be confident that their data will not be misused. We comply with the regulations applicable to data protection such as the Regulation (EU) 2016/679 (also referred to as the General Data Protection Regulation, hereinafter "GDPR") and the Belgian Data Protection Act. The aforementioned regulations concern the protection of personal data and provide you with rights over the said personal data.

The objective of this policy is to indicate what personal data we collect, how we use your data after you have visited our website and to assure you that we process your data appropriately.

This privacy policy and the terms and conditions of use apply when you visit our website. The application of terms and conditions other than those set out herein is explicitly prohibited unless we have provided express permission in writing in advance. In the latter case, this policy applies alongside the specific agreement. The use of this website, the platform and the content contained therein is only permitted subject to compliance with this policy. The use of this website, the platform and the content contained therein is only permitted subject to compliance with the full text of this policy.

### **2. What type of personal data do we collect?**

It is not necessary to provide personal data to use most of our website.

We collect and process the following categories of personal data for the purposes stated below:

- o Name, form of address, address;
- o Contact details (email, telephone number);
- o Company information;
- o Website navigation and content management downloads

Additional or optional data are provided by filling out forms on our website or when we contact you (by telephone, email or at trade fairs or events).

We also collect and process data obtained via our website or the devices you use. The collected data may be:

- o Login details (username and password) for the section of the website reserved for customers;
- o Location data (collected via social media or the IP address of your device; GPS signals sent by your mobile device);
- o Data collected using cookies, web beacons or from the internet. These data are automatically collected and can be related to the website you visited before you navigated to our website or the website you navigated to after visiting our website. We may also collect data on the website pages you have visited, your IP address, the type of browser you use, the access time and your operating system. Read our cookie policy [ADD HYPERLINK] to find out more on how we use cookies.
- o Data we obtain from other websites, for example if you ask us to link to your Facebook account

We may also collect data from the public domain to check data previously collected or to manage or broaden our activities.

### **3. Why do we collect these data and on what legal basis?**

We collect the aforementioned data to create a profile in order to understand your needs and to provide better service, and for the following specific purposes:

*OPTION 1: The following paragraphs provide a list of potential purposes of processing. The applicable legal basis and the data retention period are determined in general wording, albeit in less detail.*

*Option 2 is preferred because the legal basis and data retention period are clearly linked to a specific purpose of (sub)processing.*

- o To respond to your (online) questions regarding our products or services, to be able to provide information regarding our products and to follow up online offers.
- o To supply the products and services you have ordered.
- o To provide access to the online customer platform where you can:
  - Place orders
  - Check delivery terms
  - Check your customer history and warranties
  - Check the data generated by our machines, available on our cloud platform. These data, related to [the operations and performance of the machines/work, performance and use of the machines by the employees] is available to you via a personalised account after logging onto the platform.
- o To check your identity and financial data regarding payments for our products or services.
- o To improve our products or services.
- o To investigate complaints on our products, services or website.

- o To meet the legal and regulatory obligations as well as compliance requirements.
- o To analyse and monitor the use of accounts to prevent, investigate or report fraud, terrorism, deception, security incidents and criminal activity to the relevant authorities.
- o To send periodic email messages with offers on our products and services, special offers or other information which we believe may be of interest to you.
- o To contact you from time to time for the purposes of market research purposes. We may contact you by email or telephone.
- o To process your personal data for specific purposes as indicated on specific forms on our website, by notification in writing or by email.
- o [...].

We process the aforementioned personal data based on various processing reasons, as listed in Articles 6.1 (a), (b), (c) and (f) of the GDPR.

Processing of your personal data is required in order to meet contractual obligations for the purposes of delivering products or services in accordance with our agreements. Where personal data is processed (for example to create invoices or communicate with you) in the execution of the agreement, we will store the data for [7 years in accordance with legal retention requirements OR 10 years after the end of our commercial relationship in accordance with the applicable limitation period].

In some cases, it can be a legal requirement to process personal data and to share it with third parties such as government entities for the purposes of government business or anti-money laundering legislation.

In these cases, we have a legitimate interest to process your personal data and to contact you to be able to perform our operations or provide you with information on our products, services, promotions and/or events. Your personal data is retained for up to one year after the termination of our commercial relationship.

If you are not a current customer, we will request your permission to provide you with information on our events, products and services for promotional purposes. In this case, we will retain your personal data for one year.

#### **4. How will your data be used and shared?**

We can share your personal data with:

- o Affiliate and subsidiary companies; or
- o Third parties with whom you have asked us to share your personal data, such as Facebook or other social media if you have asked us to link these to your account; or

Based on our legitimate interest, we may also share your personal data with third parties that assist us with our products and services. Some examples of third-party activities include the hosting of web servers, data analysis, marketing support providers and customer service. These companies have access to your personal data

but only when this is required to perform their activities. They are not permitted to use your data for any other purposes.

Your personal data may not be sold or leased to third parties.

We may publish your personal data to enforce our policy, to comply with our legal obligations or in the interest of safety, in the public interest or for the purposes of legal enforcement in any country where we have entities or subsidiaries. We may follow up a request from a law enforcement agency, regulatory authority or government agency. We may also publish data for the purposes of current or scheduled court cases or to protect our property, safety, people or other rights and interests.

Should Wonka AI be sold or merges with another company, your data will be accessible to the advisor of the potential buyer and transferred to the new company owners. In that case, we will take the appropriate measures to guarantee the integrity and confidentiality of your personal data. The use of your personal data will always be subject to this policy.

## **5. Transfer of your personal data outside the European Economic Area**

We do not transfer your personal data to third parties outside the European Economic Area.

## **6. Rights of the data subject**

Data protection legislation provides various rights for the data subject with regard to the processing of personal data to ensure the data subject has sufficient control over the processing of their personal data.

You are entitled to:

### ***a. Right of access/inspection***

You are entitled to receive confirmation from us of whether your personal data is processed by us. If we do process your personal data, you are entitled to request to view your personal data.

Should it not be included in this policy, we will provide you with information on:

- o the purposes of the processing;
- o the categories of personal data concerned;

- o the recipients or categories of recipient to whom the personal data have been or will be disclosed;
- o the transfer thereof to recipients in third countries or international organisations;
- o where possible, the intended period for which the personal data will be retained, or if this is not possible, the criteria used to determine that period;
- o your entitlement with regard to your personal data as listed in this section;
- o where the personal data are not collected from you, all the information available regarding the source of the data;
- o the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and the intended consequences of the said processing for the data subject.

We will produce a copy of the personal data relating to you in our records upon request. Should you make repeated and disproportionate requests for copies of the said data, we reserve the right to charge you a reasonable fee.

***b. Right to rectification***

Should you determine that the personal data on our records is incomplete or incorrect, you are entitled to notify us in order for the necessary steps to be taken to rectify or add to the said data.

***c. Right to be forgotten***

You are entitled to request we delete your personal data should the processing not be in accordance with the data protection legislation or should the said processing not fall within the limitations laid down by law.

***d. Right to restriction of processing***

You are entitled to request we limit the processing of your personal data if:

- o the accuracy of the personal data has been called into question during the period required to check the accuracy thereof
- o the processing is unlawful and you do not wish the data to be deleted;
- o we no longer require the data but you do not request we delete the data because the data is required for the pursuance or defence of legal claims
- o an objection is made to the processing pending an explanation of the legitimate interests that outweigh your interests.

***e. Right to data portability***

You are entitled to receive the data you have provided to us in a structured, standard and machine-readable format. You are entitled to request we transfer the personal data to another data controller (directly from us). This is an option when the processing is based on your consent and processing via an automated procedure.

***f. Right to object***

Where your personal data is processed for direct marketing purposes (including profiling), you remain entitled to object to the said processing.

You are entitled to object to the processing based on a specific situation related to the data subject. The organisation will no longer process the personal data unless the organisation demonstrates compelling legitimate grounds for the processing which outweigh your interests or the interests of the pursuance or defence of legal claims.

***g. Automated individual decision-making***

The data subject is entitled not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her, such as the evaluation of personal aspects related to performance at work, reliability, creditworthiness, etc.

The said right not to be subjected to such automated decision-making processes does not apply where the process is allowed on the basis of a mandatory legal provision.

The data subject is not entitled to invoke this right when the decision is required to enter into, or to execute, an agreement between the data subject and the organisation or is based on the explicit consent of the data subject. In the latter two cases, the data subject is entitled to human intervention by a member of the organisation staff and is entitled to notify the organisation of their position and to contest the automated decision.

***h. Right to withdraw consent***

If you have consented to the processing of your personal data for a specific purpose of processing, you are entitled to withdraw your consent by sending an email or via your account.

If you opted in to receiving communication from us when you registered on the website, you can unsubscribe if you change your mind.

***i. Procedure to exercise rights and other provisions***

We can request you verify your identity to ensure your request is lawful and that we are sending the reply to a person entitled to make such a request and to receive the data.

Please note that we may refuse access to your personal data or may not be able to grant your request under specific circumstances when we are entitled to do so under the applicable data protection legislation.

For further information on the processing of your personal data or if you wish to exercise your rights, please contact us at [info@meetwonka.com](mailto:info@meetwonka.com)

You are entitled to lodge a complaint with the competent supervising authority (for data protection). In Belgium, the Data Protection Authority, Drukpersstraat 35, 1000 Brussels ([contact@apd-gba.be](mailto:contact@apd-gba.be)).

## **Security**

We make every effort to guarantee the security of your data. We have implemented reasonable technical and organisational measures to guarantee your personal data against accidental or unlawful destruction, loss, modification, unauthorised disclosure and/or unauthorised access to the data transmitted, saved or otherwise processed. Please note that the internet is an open network; we cannot therefore guarantee that unauthorised third parties will not be able to circumvent these measures or use your personal data for inappropriate purposes.

This website may include links to third-party websites. We will not be held liable for the content of these websites, nor for the privacy standards and practices of the corresponding third party. You must read and understand the relevant third-party and website privacy policies before accepting cookies and visiting a website, to ensure your personal data is sufficiently protected.

## **7. Terms and conditions of use and liability**

### **A. Rights to the website and materials – Permitted usage**

Our website and the materials available thereon (for example texts, images, videos, data, software, brands and trademarks and other data) are protected by intellectual property rights and other rights vested in us.

Visitors to the website and any other platforms (customer section) are permitted to consult the website, the platform and the material for their own purposes. This right of use is non-exclusive and non-transferable and we reserve the right to revoke this right at any time and without justification. Any other use of any element of the website and/or platform (i.e. reproduction, changes, publication or any other form of distribution) is prohibited, unless we and/or the licensors have provided advance express permission in writing.

### **B. Prohibited use of the website and material**

You undertake as follows: not to use the website, the platform and the material (1) illegally and/or for illegal purposes; (2) not to damage, modify, interrupt, stop it or impair its efficiency; (3) to disseminate or install computer viruses nor to disseminate or install material that is insulting, obscene, threatening or otherwise not in accordance with the intended use of the website and the platform; (4) not to infringe third-party or our rights to privacy, protection of personal data or intellectual property; (5) to disseminate or install material for marketing or advertising purposes without requesting our prior approval and only insofar as the recipient has requested the said material.

### **C. Liability**

We shall make every effort to ensure the information we add to our website and the platform is as complete, correct and current as possible, although we cannot

guarantee that the information provided does not include any errors. The information contained therein is not aimed at specific people or organisations and may therefore not be complete, relevant or accurate.

The information must not be considered professional or legal advice (an expert should always be consulted for these purposes). The user is responsible for the use of the website, the platform and their data. We waive all liability for any damage caused by any errors on this website.

We make every reasonable effort to limit technical malfunctions. Errors and malfunctions may however occur when using the website or the platform, which may hinder the availability or operation thereof. The website, the platform and the content thereof is provided “as is” and we do not accept any liability for issues resulting from the use of our website, the platform or the content thereof.

The website pages or the platform may contain links to external websites for whose content we neither assume nor will assume any liability with regard thereto. We will not be held liable for material and information added by users to the website or platform. The user is obliged to indemnify or compensate us for all damage attributable to the material and information.

## **8. Applicable legislation and jurisdiction**

Belgian law is applicable to our website, this policy and disputes that may arise with regard to these. In the event of a dispute, only the courts in Belgium shall have jurisdiction.

## **9. Amendments to this policy**

Wonka AI may amend or update this policy to ensure the provision of information on how we process your personal data at that time. The updated version of this policy is available on the same website and will take effect upon publication. Please visit this webpage regularly to ensure you remain up-to-date on how we collect and process personal data, how and under what circumstances we use your personal data and when we share your personal data with third parties.

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