

PLEASE READ CAREFULLY OUR **TERMS OF USE** AND **PRIVACY POLICY** BEFORE USING THE SERVICES OFFERED BY IT DIGITAL POMELO SRL.

LEGAL NOTICES

The **websites** <https://digitalpomelo.com>, <https://www.wikoti.com>, <https://www.business.wikoti.com> and **wikoti™ applications** are published by: IT digital POMELO, a limited liability company registered in Romania (European VAT N° RO38093953) with main offices in Romania, Timisoara, street Closca, 36.

The Site is hosted by Amazon Web Services EMEA SARL, 5 Rue Plaetis L-2338 Luxembourg (Lëtzebuerg).

PRIVACY POLICY

Effective date: September 10, 2018

We may change this policy at any time and we invite you to review it on a regular basis to be informed of any updates.

1.INTRODUCTION

11. IT digital POMELO SRL offers **wikoti™**, a Service:

Allowing **travelers and locals**:

- a. To discover restaurants, bars, cafes, pubs, clubs ... nearby based on their requirements and preferences;
- b.To get personalized and contextualized recommendations about venues nearby based on their preferences and tastes;
- b.To stay-tuned to their favorite venues, their tastes and preferences;

Allowing **restaurants, bars, cafes, pubs, clubs...owners**:

- a.To edit and publish their page in **wikoti™** listings including text, tags, photos and videos;
- b.To get customers when they need it the most: after a no-show, during off-peak hours, when organizing special events;
- c.To advertise free seats, special offers, events to locals and travelers nearby;
- d.To get meaningful business reports measuring business performance

12. The Service is provided through our **web sites** at <https://digitalpomelo.com>, <https://www.wikoti.com>, <https://business.wikoti.com> and our **applications**: **wikoti™** for travelers and urban explorers, **wikoti™** for business, all managed and processed by **IT digital POMELO SRL** as owner and data controller.

13. In this policy “users”, “you” and “your” refer to travelers and locals visiting our websites or using our mobile application: wikoti™ for travelers and urban explorers
14. In this policy “businesses”, “you” and “your” refer to business owners or business managers visiting our websites or using wikoti™ for business
15. In this policy “we”, “us”, and “our” refer to IT digital POMELO SRL.
16. In this policy “Service” refers to the services provided to users and businesses when visiting our websites or using our applications
17. This policy applies only when we are the data controller with respect to the personal data of our users and businesses visiting our websites or using our applications. This policy doesn’t apply when we have no control over and therefore assume no responsibility for the content, privacy policies or practices of any external third-party sites or services that our sites visitors or applications users/businesses may reach when using our Service.
18. **By visiting our Websites or using our Applications, you agree to the collection and use of information in accordance with this policy.** Unless otherwise defined in this policy, terms used in this Privacy Policy have the same meanings as in our Terms of Use and General Conditions of Use.
19. **Data collected, and data use is summarized in the table 23.**

2. Data we collect and how we use it

21. We collect the information listed below to provide and improve our Service to you. We will describe the type of data we are collecting, the reason of doing it (purpose), and the legal ground of data processing. Table in 23 summarizes data collected, data use, purpose and legal ground.
22. **Types of Data Collected:**
Account data: while using our Service, we may ask you to provide us with certain Personally Identifiable Information (PII) that can be used to contact or identify you, like email address, name, address... Creating an account for a user is optional as we don’t require any registration to use the Service. When sharing your email address with us you make possible receiving information about Service changes, Policies updates, special offers ... By not sharing your email address you may not be able to use the Service on multiple devices or may lose your data when using the Service on a new device.

Businesses must create an account in order to claim their business, manage their page and use the full scope of Service.

Usage data: We may also collect information that your browser sends whenever you visit our Site or when you access the Service.

Usage Data may include automatic collection of information when visiting our Site such as your computer's Internet Protocol address, browser type, browser version, the pages of our Site that you visit, the time and date of your visit, the time spent on those pages, the way you use our Service, unique device identifiers and other diagnostic data. We collect this type of information for diagnosis purpose and to improve the reliability of our Service as well as to better understand your expectations, interests and preferences to deliver a more personalized experience to you and improve our Service.

When you access the Service by or through a mobile device, this Usage Data may include automatic collection of information such as the type of mobile device you use, your mobile device unique ID, the IP address of your mobile device, your mobile operating system and version, the type of mobile Internet browser you use, unique device identifiers and other diagnostic data. We collect this type of information for diagnosis purpose and to improve the reliability of our Service as well as to better understand your expectations, interests and preferences to deliver a more personalized experience to you and improve our Service.

We also collect information about your geographical location with your explicit consent, provided your mobile device has been configured to send this type of information to our mobile application. We use geolocation to provide users with relevant listings of venues (restaurants, cafes, bars, pubs, clubs...) near you, recommend venues based on your preferences and expectations nearby, notify you when offers matching with your tastes and preferences are available near you, as well as to provide you directions to reach the venue of your choice. You can change the privacy settings of your mobile device at any time and disable the functionality that shares your location information with our applications. However, by not sharing your location you may not be able to benefit from the full Service.

Publication data: We may process the data, users post in our websites or applications (for example: a customer review, a venue rating...) and/or data businesses post in our websites or applications (for example: venue details, like open hours, today's special...advertising messages...). That information is required to perform our Service and its collection relies on users and business consent.

Enquiry data: We may process users enquiries (for example users searches requirements when searching for a venue, channels opened by a user to stay-tuned to his favorites ...). That information is required to perform our Service (for example to list venues nearby matching with user's requirements or notify a user with a special offer from a business he is tuned to).

Customer relationship data & Transaction Data: We may process information related to our commercial and contractual relationship with businesses like contract, business

legal name registration number, VAT number, contact details and history of transactions. This information is required to perform the Service and requires business consent.

Cookies Data: We use cookies and similar tracking technologies to enable the Site functions and also to track the activity on our Service and hold certain information. Cookies are files with small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. We use cookies strictly necessary for the normal Site functions (“Essential Cookies”) and cookies to measure Service features effectiveness and Service features relevance to our users and businesses (“Analytics Cookies”). Analytics cookies are not mandatory for the Site functionalities and you can have disabled them at any time, you can also instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, by doing so, we may not be able to monitor our Site performance properly, making challenging to deliver you the best user experience.

We may use the following cookies:

- (a) cookies to authenticate a business when using wikoti™ for business (essential cookie)
- (b) cookies to store business preferences when using wikoti™ for business like preferred language... (essential cookie)
- (c) cookies to analyze how Site is used and how Site performs (analytics cookie)

For more information about Cookies and how to set a browser to refuse Cookies, please refer to <https://www.allaboutcookies.org>

23. Use of Data

The table below summarizes the data collected, the purpose of the processing and the legal ground. The column type refers to users (any user visiting our websites and/or using wikoti™ for travelers and urban explorers) or businesses (any business owner or manager visiting our websites and/or using wikoti™ for business).

Type	Purpose	Data	Legal Ground
users	Anonymous use of the Service: account creation is not required	no data collected	No data collected
users	Account creation enabling to use the Service on multiple devices and/or not to lose its personal	*Your email address	Your explicit consent to collect

	environment (example personal filters, opened channels, favorites...) when changing your device.		and store your email address.
users	Listing venues based on your requirements and geographical location.	*your location *your searching requirements (for example the filters you have selected or created, the venue names you have looking for...)	Your explicit consent for sharing geographical location. Necessity for the performance of a contract with you
users	Providing relevant recommendations to you	*your location *the history of venues you have been browsing and/or visiting *the feed-back you provided about a venue (for example rating, full review...) *the channels you have been managing	Necessity for the performance of a contract with you
users	Providing directions to guide you to the venue you have selected	*your location *the venue you selected	Necessity for the performance of a contract with you
users	Notify you according the channels you have open about relevant offers available nearby	*your location *the list of active channels you have set-up	Necessity for the performance of a contract with you. Your explicit consent to receive notifications.
users	Collect your feed-back (reviews, ratings...) about venues you have visited. This explicit feed-back	*your location (for verified reviews)	Our legitimate interests to collect and process customer

	<p>helps us to better understand your preferences and to provide you with personalized recommendations. It enables to show to potential customers what real customers think about a venue.</p> <p>We also used that data to better match businesses with users searches.</p>	<p>*the feed-back you provided.</p>	<p>experience feedback.</p> <p>Necessity for the performance of a contract with you.</p>
users	<p>To detect, prevent and address technical issues and monitor the usage of the Service.</p>	<p>*device type, brand, manufacturer</p> <p>*OS release</p> <p>*mobile app release</p> <p>*session data</p> <p>*visited pages</p> <p>*user interactions</p> <p>*time of visit</p> <p>*website and mobile application crashes.</p>	<p>Our legitimate interest to improve reliability and quality of our Service.</p>
users	<p>To notify you about Service changes or special offers (can be disabled by unsubscribing).</p>	<p>*your email address</p>	<p>Your explicit consent.</p> <p>Our legitimate interest to keep you updated about our Service: updates, benefits, special offers...</p>
businesses	<p>Claiming a business to be able to manage a business page, launch advertising campaigns (hot list, notifications...)</p>	<p>*name</p> <p>*email</p> <p>*phone number</p> <p>*business address</p>	<p>Necessity for the performance of a contract with you.</p> <p>Your explicit consent.</p>

businesses	Buying and paying additional services and/or paying monthly subscription Receiving invoices	*Bank details (IBAN & BICS) <i>[we do not itself store your credit or debit card account information, we use third party payment processors that are the controllers of your credit card information]</i> *VAT number *Billing information	Necessity for the performance of a contract with you. Your explicit consent.
businesses	Updating your business page and publishing content.	*account details *venue description (for example about , links, tags...) *venue videos *venue photos	Necessity for the performance of a contract with you. Your explicit consent
businesses	Launching and managing an advertising campaign (like free seats campaigns, event advertising, joining the what's hot list...)	*account details *campaign message *campaign profile (type, duration, target...)	Necessity for the performance of a contract with you. Your explicit consent.
businesses	To detect, prevent and address technical issues and monitor the usage of the Service.	*your IP address *type or device you use *OS release *browser type and release *app release *session data *visited pages *interactions (for example clicks...) *time of visit *website and mobile application crashes.	Our legitimate interest to improve reliability and quality of our Service.

businesses	To notify you about Service changes (can be disabled by unsubscribing), and opportunities (for example special offers...).	*your email address	Your explicit consent. Our legitimate interest to keep you updated about our Service: updates, benefits, special offers...
businesses	To send you notifications and/or reports related to your business performance	*your email address	Necessity for the performance of a contract with you.

3. Transfer of Data

31. Your information, including Personal Data may be transferred to — and maintained on — computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction. If you choose to provide information to us, please note that we transfer and process the data, including Personal Data within servers located in the European Union.
32. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy. In case we transfer your personal data outside the European Economic Area this will be done only to a country or a company recognized by the European Commission as providing an adequate level of protection.
33. Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer.

4. Providing data to others

41. We may disclose the data collected including your Personal Data in the good faith belief that such action is necessary to:

- To comply with a legal obligation
- To protect and defend our rights or property
- To prevent or investigate possible wrongdoing in connection with the Service
- To protect the personal safety of users of the Service or the public
- To protect against legal liability

42. We may disclose statistical data and/or anonymous data with other parties: like other Service providers, business partners, technical partners.

5.Data security and data protection

51. The security of your data matters to us, therefore we use reasonable commercial, organizational, technical and physical measures to protect your Personal Data.

52. However, and despite all reasonable efforts it is not possible to guarantee 100% data security and data protection when processing data online (like data transmission over the Internet, data electronic storage...).

6.Service Providers

61. We may employ third party companies and individuals to facilitate our Service ("Service Providers"), to provide the Service on our behalf, to perform Service-related services or to assist us in analyzing how our Service is used. These third parties may have temporary access to your Personal Data only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

7.Analytics

71. We may use third-party Service Providers to monitor and analyze the use of our Service like Google Analytics, Hotjar and Appsee for wikoti™ applications.

72. Google Analytics is a web analytics Service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Service. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <https://policies.google.com/privacy?hl=en>

73. Hotjar is a tool tracking and reporting website traffic and site visitor's actions with the purpose to improve Site's user experience, performance and conversion's rate. For more information about Hojar cookies, please visit Hotjat Cookies web page: <https://help.hotjar.com/hc/en-us/articles/115011789248-Hotjar-Cookies>
74. Appsee is an app analytics platform providing meaningful information about the way users use the wikoti™ applications. Such information is required to improve product usability and faster debugging. For more information, the Appsee privacy policy is available here: <https://www.appsee.com/legal/privacypolicy>

8. Links to other sites

81. Our Service may contain links to other sites that are not operated by us (for example the website of a venue listed in wikoti™). If you click on a third-party link, you will be directed to that third party's site. We strongly recommend you review the Privacy Policy of every site you visit. We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party sites or services.

9. Children's privacy

91. Our Service does not address anyone under the age of 12 ("Children"). We do not knowingly collect personally identifiable information from anyone under the age of 12.
92. If you are a parent or guardian and you are aware that your Children has provided us with Personal Data, please contact us. If we become aware that we have collected Personal Data from children, we take immediate steps to remove that information from our servers.

10. Right to information and withdrawal

101. You are entitled to receive information on your data stored by us;
102. You are entitled to ask us to delete your data stored by us;

11. Changes to this privacy policy

- 10.1 We may update our Privacy Policy from time to time. We will notify you of any changes by updating the new Privacy Policy on our website and will notify you by

sending you an email and/or sending you an InApp message and/or posting a notice in our website.

10.2 You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.

12.Contact Us

If you have any questions about this Privacy Policy, please contact us by email at:

legal@digitalpomelo.com.

Our full details are:

IT digital POMELO SRL.

Closca,36 - 330 350 Timisoara

Romania.

@2018 IT digital POMELO SRL. All rights reserved.
