

PRIVACY POLICY

Version dated 09/04/2019

SUMMARY

PROTECTION OF YOUR PRIVACY IS A PRIORITY AT DRIVY RESPECT OF YOUR PRIVACY IS OUR CONCERN	2
DRIVY SERVICE	2
DATA COLLECTED AND THEIR FINALITY	3
What is Personal Data?	3
What data does Drivy use?	3
ServerLogFiles & browsing data	3
App Data	3
SignUp Data	4
Owner Data	4
Renter Data	4
Payment Data	5
Public Data	5
Drivy Open Data	6
How we use and moderate your messages?	6
How long is your Personal Data stored?	6
How is our exclusion list managed?	7
Does Drivy share your data with third parties?	7
YOUR RIGHTS	8
SECURITY	9
What data security measures do we implement?	9
Can we change the Privacy Policy?	9
CONTACT US	10

PROTECTION OF YOUR PRIVACY IS A PRIORITY AT DRIVY

We are fully aware of the importance of your privacy and we implement data protection rules seriously. Our main goal is to assure you a smooth and safe online experience while using our Service, as defined in Drivy Terms and Conditions of Use, as we are convinced that our success is based on transparency and trust with our users.

We would, therefore, like to take this opportunity to give you a complete overview about our practices for the processing and protection of your Personal Data, as defined below.

As you are a user of our Service we want you to know how we collect, store and process your Personal Data. We have created this Privacy Policy for you to receive all the information you need. We invite you to carefully read all the information we provide and if there are any questions remaining, please do not hesitate to contact us at any time.

Drivy commits and ensures to comply with Regulation no. 2016/679 of 27 April 2016 on the protection of natural persons with regards to the processing of personal data on the free movement of such data (the *General Data Protection Regulation* or *GDPR*).

You can also send all inquiries regarding your Personal Data and how we use it directly to: privacy@drivy.com. We will promptly reply to you.

DRIVY SERVICE

The service is provided by Drivy SAS, 35 rue Greneta, 75002, Paris/France, registered with the commercial register of Paris under 522 816 651 (“**Drivy**” or “**we/us/our**”).

Drivy provides an online platform intended to facilitate contact (hereinafter referred to as, the “**Service**” or “**Services**”) between, firstly, the individuals or legal entities who would like to rent out a car without a driver (“**Owner**”) and, secondly, the individuals who would like to rent a car for a short period of time as the main driver (“**Renter**”) (Owner and Renter hereinafter each and collectively also referred to as “**User**” or “**you/your**”). These Services are accessible via the Internet website through the following URLs www.drivy.com, www.drivy.de, www.drivy.es, www.drivy.at, www.drivy.be or www.drivy.co.uk (the “**Website**”) and/or as a mobile application entitled ‘Drivy’ (the “**App**”).

Each User may also use the services of Drivy Open and his/her Personal Data will be used as set forth below (“**Drivy Open**”).

The Services are described extensively in the Drivy Terms and Conditions.

Drivy is responsible for the processing of your Personal Data that is collected through your use of our Service and Website. This means that Drivy is notably in charge of their collection, their safety and their use for the purposes that Drivy details in its privacy policy in compliance with the data

protection rules. At the time of registration as a User, you consent to such processing and you warrant the accuracy of all data provided by you.

DATA COLLECTED AND THEIR FINALITY

What is Personal Data?

This is the first question you may ask.

To put it simply “**Personal Data**” covers any information relating to an identified or identifiable natural person, such as your name, your address, your telephone number or your email address.

Personal data can also cover information allowing to identify you, directly or indirectly, in particular by reference to an identification number like an IP address.

What data does Drivy use?

Drivy collects and uses different sets of data to provide you with its Service and improve your experience on its Website. This data can be personal or not. The data is processed for the performance of our legal and contractual obligations or to pursue our legitimate interests. If we process data for the performance of our legal and/or contractual obligations, such processing is in general mandatory, since we cannot fulfil our obligations without such data. You are not obliged to provide such information to us, however, without providing this information, you cannot benefit from our Services.

If required by applicable law, we will seek your explicit consent to process personal data collected on our Website or App, or volunteered by you. Consent will be entirely voluntary. However, if the requested consent to process your personal data has not been granted by you, the access to our Services may not be entirely possible.

Some of this data may be collected via cookies. Drivy uses different categories of cookies, some of which are anonymised. You can freely manage cookies using personal data.

ServerLogFiles & browsing data

When you use our Website or App, we collect and store information in the log files of our servers and in a Data Warehouse. This data is processed to pursue our legitimate interests pursuant to Art. 6 para 1 lit. f GDPR, *e.g.*, the performance and security of our services. The data processed includes:

- A unique identifier stored in your cookies.

- How you used the service, such as your search queries.

- Your IP address.

- Device related event data that you use, such as crashes, your browser type and language, date and time of the request, and referring URL.

App Data

Additionally, Drivy collects and stores the following data when you are using our App („**App Data**“): *UserID, Android device ID or iOS IDFA, IPaddress, country code, language, device name, name of the operating system and version.*

Drivy uses these App Data only for statistical evaluation for the purpose of operating, security and optimising the Services. Drivy hereby reserves the right to save and use this App Data afterwards if particular indications become apparent to us, for instance, users using a rented car(s) and/or our service for illegal use.

SignUp Data

To provide you with our Service, Drivy needs to collect basic information about you.

When signing up for the Service and creating a user account, you submit the following information about your own Personal Data (“**SignUp Data**”):

Name and surname, email address, password, profile picture (optional).

If the user registers using his/her Facebook or Google account: public profile, email address and friends list.

Drivy will collect, process and use the SignUp Data for the purpose of providing the Service to each User. We process Sign-Up Data for the performance of our legal and contractual obligations toward our User and to pursue our legitimate interests according to Art. 6 para. 1 lit. b) and f) GDPR.

Owner Data

If you want to rent out your car to other users you submit, in addition to the SignUp Data (or if applicable the Renter Data) the following information (“**Owner Data**”):

Car type and brand, details about the car (such as number of seats and doors), country and year of first registration, number plate, date of the last technical inspection, address of the parking location, telephone number, postal address, date of birth.

Drivy will collect, process and use the Owner Data for the purpose of providing the Service to each User as Owner. We process Owner Data for the performance of our legal and contractual obligations toward the Owner and to pursue our legitimate interests according to Art. 6 para. 1 lit. b) and f) GDPR.

Renter Data

If you want to rent a User’s car, you shall submit, in addition to the SignUp Data (or if applicable the Owner Data), the following information (“**Renter Data**”):

Number of driver’s licence, first issue date, country of issue, date and place of birth, postal address, country of residence, telephone number, identity documents and driving licences for Open rentals.

Drivy will collect, process and use the Renter Data for the purpose of providing the Service to each User as Renter. We process Renter Data for the performance of our legal and contractual obligations toward a Renter and to pursue our legitimate interests according to Art. 6 para. 1 lit. b) and f) GDPR.

We inform the Owners who take and keep a picture of the Renter's personal documents (for example, the driving licence) for a Rental that they remain subject to the provisions of the applicable data protection law.

These pictures are collected by the Owner at the request of Drivy, in accordance with the ToS, in order to verify the identity of the Renter for the purposes of insurance or when the tenant is not solvent.

Drivy undertakes to request these photographs only in the cases mentioned above. The professional Owner is required to delete the pictures within a 15 day period after the end of the rental.

Drivy and the Professional Owner are both responsible for the processing of personal data in the event that the Professional Owner takes picture of the Renter's personal documents of a Rental. The person concerned by this processing of personal data may exercise the rights attached to his personal data with the Professional Owner and Drivy.

Payment Data

Additionally to your SignUp, Owner and/or Renter Data, you shall provide the following payment data for the purpose of making the car reservation and for the purpose of receiving payments for the Service:

If owner: full name, date of birth, address, bank account details (account owner, IBAN or sort & account number), Drivy account password.

If Owner registered as a company: basic information (company name, type, company number, address) as well as information about any individuals who ultimately own or control that business.

This may include a scan of proof of identity.

If Renter: first and last name of the cardholder, details of the payment card.

We process Payment Data for the performance of our legal and contractual obligations toward a Renter and Owner according to Art. 6 para. 1 lit. b) GDPR. Drivy, through the services of the payment providers Stripe, PayPal or GoCardLess, will collect, process and use the Payment Data for the purpose of providing the Service and payment services to each User, being specified that part of the credit card number will be hidden during its display on screen. The Payment data will be processed and stored by our payment provider according to the highest safety measures applicable in the ecommerce sector. Notably, the transaction will be made through a secured and encrypted process.

Public Data

For the purpose of the use of the Service, Drivy will display some of your Personal Data that you decide to make public on the Website and/or App ("**Public Data**"):

first name, surname, profile picture (optional), number of rentals and evaluation(s) by other users (if applicable), Biography (optional), Twitter link (optional), Linkedin link (optional).

Drivy will collect, process and use the Public Data for the purpose of providing the Service to each User and connecting the users to each other by displaying this data on the Website and/or App. We process Public Data for the performance of our legal and contractual obligations toward each User and to pursue our legitimate interests according to Art. 6 para. 1 lit. b) and f) GDPR.

Drivy Open Data

Telematics boxes that Owners accept to be installed in their car(s) only collect and transmit the User's data that is necessary for the provision of Drivy Open services to Drivy.

From the time the telematics box is activated in the respective car, until the box is uninstalled, Drivy will collect information related to the status of the car for the operational needs of the Service (*available, blocked, used by a Renter*) ("**Status Car**").

For the purpose of a car rental, Drivy will use and provide access to the Renter to the GPS/geolocation data of the car that will be collected within the framework of Drivy Open ("**Driver Data**") 1 hour before the start of the rental to locate the car.

When a car is not being used by a Renter, or in case of non restitution of the vehicle, the car's Owner can access the GPS/geolocation data of his/her own car.

We process Drivy Open Data for the performance of our legal and contractual obligations toward the Renter and Owner and to pursue our legitimate interests according to Art. 6 para. 1 lit. b) and f) GDPR.

How we use your messages?

Drivy may read the messages exchanged through the Website or the App between members for fraud prevention purposes, to improve the Service, for user support purposes or verification that users respect our Terms and Conditions.

As often as possible, we use automated systems to moderate the messages sent between members via the Website or the App.

We never read any communication between members of our community for promotional or advertising targeting and commit not to do so in the future.

How long is your Personal Data stored?

We only keep your personal data for the period necessary for the performance of our Services and the duration of your membership.

We archive personal information from closed accounts in accordance with rules applicable to the protection of your data only in order to comply with legal obligations, prevent fraud, collect any

remaining fees that are due, resolve disputes, troubleshoot problems, assist with any investigations, enforce our terms and conditions, and take other actions otherwise permitted by law.

How is our exclusion list managed?

In accordance with our Terms of Services, and in order to guarantee the reliability and security of the operations carried out via the Services offered on our Site and our Application, Drivy sets up an exclusion list of Users in the case of proven and verified fraud by our teams. If you register and you are on this list, the user's profile is blocked and the User is no longer allowed to use the Services offered by Drivy.

The following information shall be entered on the exclusion list: name, first name of the User concerned, number and date of expiry of the credit card used for the fraudulent transaction.

Drivy keeps the personal data of the Users concerned by this fraudulent activity for probationary purposes.

The exclusion list includes the reasons for registration and is regularly updated. User profiles are deleted from the list of regularisation of the incident that gave rise to the registration.

Should a User be directly concerned by such exclusion, he may contact verification@drivy.com.

Does Drivy share your data with third parties?

We do not sell personal data to third parties.

We may transfer personal data to our contractual service providers. Before doing so, we take steps to ensure that your personal data is treated with appropriate safeguards as required by data protection laws and Drivy's internal policies.

We share Personal Data to carry out services and actions by order and for Drivy, for example, to let the software run on the platform of remote servers, carry out and settle up payment processes for offered products or services, carry out technical checks to validate the condition of vehicles on the Website, confirm that the Renter Data is accurate or outsource certain Customer Relation and Claim Management actions.

In addition, Drivy is seeking guarantees from its service providers acting as data processors under the GDPR on their compliance with the rules set out in the GDPR.

Drivy shall be entitled to process and use the User's log data that is automatically collected (Server Logfiles) for the purpose of identifying, delimiting and removing malfunctions and errors in the telecommunication systems. If the requirements are met, Drivy may use log data that is necessary to uncover any unlawful use of the telecommunication systems and services. In accordance with prevailing legal provisions, Drivy may be required to provide information to criminal prosecution authorities and courts for prosecution purposes. In such situation, Drivy may not inform you about the disclosure of your Personal Data to authorised third parties.

YOUR RIGHTS

According to Article 15 GDPR, you have the right to obtain confirmation from us as to whether or not personal data concerning you is being processed by us, and, where that is the case, you have a right to access the personal data and obtain further information.

According to Article 16 GDPR, you may have a right to obtain the rectification of inaccurate personal data concerning you without undue delay.

According to Article 17 GDPR, you may have a right to obtain erasure of personal data concerning you if (i) it is no longer necessary in relation to the purpose for which it is collected, (ii) you have withdrawn your consent on which the processing is based, (iii) you have objected to the processing pursuant to Article 21 (1) GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21 (2) GDPR, (iv) your personal data has been unlawfully processed; , (v) the personal data has to be erased for compliance with a legal obligation to which Drivy is subject to, or (vi) the personal data has been collected in relation to the offer of information society services.

According to Article 18 GDPR, you may have a right to obtain the restriction of processing. Such right shall exist if (i) the accuracy of the personal data is contested by you, (ii) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead, (iii) Drivy no longer needs the personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defense of legal claims, or (iv) you have objected to processing pursuant to Article 21(1) GDPR pending the verification of whether our legitimate grounds override yours.

According to Article 19 GDPR, you have the right to obtain information about the recipients of data to whom the rectification, erasure or restriction of processing has been communicated. According to Article 20 GDPR, you have the right to obtain personal data concerning you in a structured, commonly used and machine-readable format and to transmit the data to another controller.

If the processing or transfer of your personal data is based on a consent given by you, you can withdraw your consent at any time with no affect for in the future.

According to Art. 77 GDPR, you can lodge a complaint against the processing of your data or any decision of Drivy in relation to one of your rights you have exercised, to a competent supervisory authority, in particular the supervisory authority at your residence, or the CNIL “*Commission Nationale Informatique et Libertés*” (*National Commission on Informatics and Liberty*). To exercise any of these rights, you can email privacy@drivy.com. We will respond as soon as possible.

RIGHT TO OBJECT PURSUANT TO ARTICLE 21 GDPR

OBJECTION BASED ON GROUNDS OF YOUR PARTICULAR SITUATION

ACCORDING TO ARTICLE 21 (1) GDPR, YOU HAVE THE RIGHT TO OBJECT, ON GROUNDS RELATING TO YOUR PARTICULAR SITUATION, AT ANY TIME, TO PROCESSING OF PERSONAL DATA CONCERNING YOU WHICH IS BASED ON OUR LEGITIMATE INTERESTS.

OBJECTION IN CASE OF DIRECT MARKETING

ACCORDING TO ARTICLE 21 (2) GDPR, YOU HAVE THE RIGHT TO OBJECT TO AT ANY TIME TO PROCESSING OF PERSONAL DATA CONCERNING YOU FOR PURPOSES OF DIRECT MARKETING. IF YOU OBJECT TO THE PROCESSING FOR DIRECT MARKETING PURPOSES, YOUR PERSONAL DATA WILL NO LONGER BE PROCESSED FOR SUCH PURPOSES.

CONTACT DETAILS

YOU CAN SEND YOUR OBJECTION INFORMALLY BY POST, FAX OR EMAIL ADDRESSED TO:

DRIVY SAS
MANAGEMENT
35 RUE GRENETA
75002, PARIS
FRANCE

TEL. [...]

FAX [...]

E-MAIL privacy@drivy.com

SECURITY

What data security measures do we implement?

We implement efficient technical and organisational measures in order to safeguard the Service and other systems against loss, destruction, access, changes or the distribution of your data by unauthorised persons according to current the state of art. The data transfer between the Service and the Server is [SSL] encrypted.

The access to your Drivy account is only possible after entering your personal password directly or through autologin processes or through Facebook Connect. You should always treat your access information confidentially and close the browser window, once you have ended your communication with us, particularly if you share the use of the computer and/or device with others.

Drivy will store your data on servers, which are located in North America and managed by Amazon Web Services, Inc., (« **Amazon** »), which participates in the EUUS Privacy Shield framework regarding the collection, use, and retention of personal information from European Union member countries and has also signed the standard contractual clauses approved by the EU commission for the transfer of personal data outside EU.

Can we change the Privacy Policy?

Drivy reserves the right to change this Privacy Policy at any time, taking into account currently applicable data protection provisions. You will be notified once you logon to our Service through the Website and/or App if there are any changes. You will have the right to object by writing to privacy@drivy.com according to the provisions as set forth in the terms of use.

CONTACT US

For any questions about personal data, you can contact us at the following address:

Drivy 35, rue Greneta 75002 PARIS, France

or use privacy@drivy.com

