

Privacy Policy of Smartboatia

Smartboatia collects some Personal Data from its Users.

Users may be subject to different protection standards and broader standards may therefore apply to some. Users can contact the Owner, to learn more about such standards.

This document can be printed for reference by using the print command in the settings of any browser.

Owner and Data Controller

Smartboatia GmbH
Theaterplatz 2
23909 Ratzeburg

Commercial Register No.: HRB 21352
Commercial Register: Lübeck, Germany

Represented by: Sina Pieritz

Owner contact email: info@smartboatia.com

Types of Data collected

Among the types of Personal Data that Smartboatia collects, by itself or through third parties, there are: email address; Data communicated while using the service; device information; Storage permission; diagnostics; User ID; Usage Data.

Complete details on each type of Personal Data collected are provided in the dedicated sections of this privacy policy or by specific explanation texts displayed prior to the Data collection.

Personal Data may be freely provided by the User, or, in case of Usage Data, collected automatically when using Smartboatia. Unless specified otherwise, all Data requested by Smartboatia is mandatory and failure to provide this Data may make it impossible for Smartboatia to provide its services. In cases where Smartboatia specifically states that some Data is not mandatory, Users are free not to communicate this Data without consequences to the availability or the functioning of the Service.

Users who are uncertain about which Personal Data is mandatory are welcome to contact the Owner.

Any use of Cookies – or of other tracking tools — by Smartboatia or by the owners of third-party services used by Smartboatia serves the purpose of providing the Service required by the User, in addition to any other purposes described in the present document.

Users are responsible for any third-party Personal Data obtained, published or shared through Smartboatia.

Mode and place of processing the Data

Methods of processing

The Owner takes appropriate security measures to prevent unauthorized access, disclosure, modification, or unauthorized destruction of the Data.

The Data processing is carried out using computers and/or IT enabled tools, following organizational procedures and modes strictly related to the purposes indicated. In addition to the Owner, in some cases, the Data may be accessible to certain types of persons in charge, involved with the operation of Smartboatia (administration, sales, marketing, legal, system administration) or external parties (such as third-party technical service providers, mail carriers, hosting providers, IT companies, communications agencies) appointed, if necessary, as Data Processors by the Owner. The updated list of these parties may be requested from the Owner at any time.

Place

The Data is processed at the Owner's operating offices and in any other places where the parties involved in the processing are located.

Depending on the User's location, data transfers may involve transferring the User's Data to a country other than their own. To

find out more about the place of processing of such transferred Data, Users can check the section containing details about the processing of Personal Data.

Retention time

Unless specified otherwise in this document, Personal Data shall be processed and stored for as long as required by the purpose they have been collected for and may be retained for longer due to applicable legal obligation or based on the Users' consent.

The purposes of processing

The Data concerning the User is collected to allow the Owner to provide its Service, comply with its legal obligations, respond to enforcement requests, protect its rights and interests (or those of its Users or third parties), detect any malicious or fraudulent activity, as well as the following: Beta Testing, Device permissions for Personal Data access, Hosting and backend infrastructure, Content commenting and Platform services and hosting.

For specific information about the Personal Data used for each purpose, the User may refer to the section "Detailed information on the processing of Personal Data".

Device permissions for Personal Data access

Depending on the User's specific device, Smartboatia may request certain permissions that allow it to access the User's device Data as described below.

By default, these permissions must be granted by the User before the respective information can be accessed. Once the permission has been given, it can be revoked by the User at any time. In order to revoke these permissions, Users may refer to the device settings or contact the Owner for support at the contact details provided in the present document. The exact procedure for controlling app permissions may be dependent on the User's device and software.

Please note that the revoking of such permissions might impact the proper functioning of Smartboatia.

If User grants any of the permissions listed below, the respective Personal Data may be processed (i.e accessed to, modified or removed) by Smartboatia.

Storage permission

Used for accessing shared external storage, including the reading and adding of any items.

Detailed information on the processing of Personal Data

Personal Data is collected for the following purposes and using the following services:

Beta Testing

This type of service makes it possible to manage User access to Smartboatia, or parts of it, for the purpose of testing a certain feature or the entire Application.

The service provider may automatically collect data related to crashes and statistics related to the User's use of Smartboatia in a personally identifiable form.

Google Play Beta Testing (Google Ireland Limited)

Google Play Beta Testing is a beta testing service provided by Google Ireland Limited.

Personal Data processed: Data communicated while using the service; device information; email address.

Place of processing: Ireland – [Privacy Policy](#).

TestFlight (Apple Inc.)

TestFlight is a beta testing service provided by Apple Inc.

Personal Data processed: Data communicated while using the service; device information; email address.

Place of processing: United States – [Privacy Policy](#).

Content commenting

Content commenting services allow Users to make and publish their comments on the contents of Smartboatia. Depending on the settings chosen by the Owner, Users may also leave anonymous comments. If there is an email address among the Personal Data provided by the User, it may be used to send notifications of comments on the same content. Users are responsible for the content of their own comments. If a content commenting service provided by third parties is installed, it may still collect web traffic data for the pages where the comment service is installed, even when Users do not use the content commenting service.

Comment system managed directly (Smartboatia)

Smartboatia has its own internal content comment system.

Personal Data processed: email address.

Device permissions for Personal Data access

Smartboatia requests certain permissions from Users that allow it to access the User's device Data as described below.

Device permissions for Personal Data access (Smartboatia)

Smartboatia requests certain permissions from Users that allow it to access the User's device Data as summarized here and described within this document.

Personal Data processed: Storage permission.

Hosting and backend infrastructure

This type of service has the purpose of hosting Data and files that enable Smartboatia to run and be distributed as well as to provide a ready-made infrastructure to run specific features or parts of Smartboatia.

Some services among those listed below, if any, may work through geographically distributed servers, making it difficult to determine the actual location where the Personal Data are stored.

Amazon Web Services (AWS) (Amazon Web Services, Inc.)

Amazon Web Services (AWS) is a hosting and backend service provided by Amazon Web Services, Inc.

Personal Data processed: various types of Data as specified in the privacy policy of the service.

Place of processing: Germany – [Privacy Policy](#); Australia – [Privacy Policy](#).

Platform services and hosting

These services have the purpose of hosting and running key components of Smartboatia, therefore allowing the provision of Smartboatia from within a unified platform. Such platforms provide a wide range of tools to the Owner – e.g. analytics, user registration, commenting, database management, e-commerce, payment processing – that imply the collection and handling of Personal Data.

Some of these services work through geographically distributed servers, making it difficult to determine the actual location where the Personal Data are stored.

App Store Connect (Apple Inc.)

Smartboatia is distributed on Apple's App Store, a platform for the distribution of mobile apps, provided by Apple Inc.

App Store Connect enables the Owner to manage Smartboatia on Apple's App Store. Depending on the configuration, App Store Connect provides the Owner with analytics data on user engagement and app discovery, marketing campaigns, sales, in-app purchases, and payments to measure the performance of Smartboatia. App Store Connect only collects such data from Users who have agreed to share them with the Owner. Users may find more information on how to opt out via their device settings [here](#).

Personal Data processed: diagnostics; User ID.

Place of processing: United States – [Privacy Policy](#).

Google Play Store (Google Ireland Limited)

Smartboatia is distributed on the Google Play Store, a platform for the distribution of mobile apps, provided by Google Ireland Limited.

By virtue of being distributed via this app store, Google collects usage and diagnostics data and share aggregate information with the Owner. Much of this information is processed on an opt-in basis.

Users may opt-out of this analytics feature directly through their device settings. More information on how to manage analysis settings can be found on [this page](#).

Personal Data processed: Usage Data.

Place of processing: Ireland – [Privacy Policy](#).

Further information about the processing of Personal Data

Push notifications

Smartboatia may send push notifications to the User to achieve the purposes outlined in this privacy policy.

Users may in most cases opt-out of receiving push notifications by visiting their device settings, such as the notification settings for mobile phones, and then change those settings for Smartboatia, some or all of the apps on the particular device.

Users must be aware that disabling push notifications may negatively affect the utility of Smartboatia.

Further Information for Users in the European Union

This section applies to all Users in the European Union, according to the General Data Protection Regulation (the “GDPR”), and, for such Users, supersedes any other possibly divergent or conflicting information contained in the privacy policy. Further details regarding the categories of Data processed, the purposes of processing, the categories of recipients of the Personal Data, if any, and further information about Personal Data can be found in **the section titled “Detailed information on the processing of Personal Data” within this document**.

Legal basis of processing

The Owner may process Personal Data relating to Users if one of the following applies:

- Users have given their consent for one or more specific purposes.
- provision of Data is necessary for the performance of an agreement with the User and/or for any pre-contractual obligations thereof;
- processing is necessary for compliance with a legal obligation to which the Owner is subject;
- processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in the Owner;
- processing is necessary for the purposes of the legitimate interests pursued by the Owner or by a third party.

In any case, the Owner will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

Further information about retention time

Unless specified otherwise in this document, Personal Data shall be processed and stored for as long as required by the purpose they have been collected for and may be retained for longer due to applicable legal obligation or based on the Users’ consent.

Therefore:

- Personal Data collected for purposes related to the performance of a contract between the Owner and the User shall be retained until such contract has been fully performed.
- Personal Data collected for the purposes of the Owner’s legitimate interests shall be retained as long as needed to fulfill such purposes. Users may find specific information regarding the legitimate interests pursued by the Owner within the relevant sections of this document or by contacting the Owner.

The Owner may be allowed to retain Personal Data for a longer period whenever the User has given consent to such processing, as long as such consent is not withdrawn. Furthermore, the Owner may be obliged to retain Personal Data for a longer period whenever required to fulfil a legal obligation or upon order of an authority.

Once the retention period expires, Personal Data shall be deleted. Therefore, the right of access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after expiration of the retention period.

The rights of Users based on the General Data Protection Regulation (GDPR)

Users may exercise certain rights regarding their Data processed by the Owner.

In particular, Users have the right to do the following, to the extent permitted by law:

- **Withdraw their consent at any time.** Users have the right to withdraw consent where they have previously given their consent to the processing of their Personal Data.
- **Object to processing of their Data.** Users have the right to object to the processing of their Data if the processing is carried out on a legal basis other than consent.
- **Access their Data.** Users have the right to learn if Data is being processed by the Owner, obtain disclosure regarding certain aspects of the processing and obtain a copy of the Data undergoing processing.
- **Verify and seek rectification.** Users have the right to verify the accuracy of their Data and ask for it to be updated or corrected.
- **Restrict the processing of their Data.** Users have the right to restrict the processing of their Data. In this case, the Owner will not process their Data for any purpose other than storing it.
- **Have their Personal Data deleted or otherwise removed.** Users have the right to obtain the erasure of their Data from the Owner.
- **Receive their Data and have it transferred to another controller.** Users have the right to receive their Data in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance.
- **Lodge a complaint.** Users have the right to bring a claim before their competent data protection authority.

Users are also entitled to learn about the legal basis for Data transfers abroad including to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by the Owner to safeguard their Data.

Details about the right to object to processing

Where Personal Data is processed for a public interest, in the exercise of an official authority vested in the Owner or for the purposes of the legitimate interests pursued by the Owner, Users may object to such processing by providing a ground related to their particular situation to justify the objection.

Users must know that, however, should their Personal Data be processed for direct marketing purposes, they can object to that processing at any time, free of charge and without providing any justification. Where the User objects to processing for direct marketing purposes, the Personal Data will no longer be processed for such purposes. To learn whether the Owner is processing Personal Data for direct marketing purposes, Users may refer to the relevant sections of this document.

How to exercise these rights

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. Such requests are free of charge and will be answered by the Owner as early as possible and always within one month, providing Users with the information required by law. Any rectification or erasure of Personal Data or restriction of processing will be communicated by the Owner to each recipient, if any, to whom the Personal Data has been disclosed unless this proves impossible or involves disproportionate effort. At the Users' request, the Owner will inform them about those recipients.

Additional information about Data collection and processing

Legal action

The User's Personal Data may be used for legal purposes by the Owner in Court or in the stages leading to possible legal action arising from improper use of Smartboatia or the related Services.

The User declares to be aware that the Owner may be required to reveal personal data upon request of public authorities.

Additional information about User's Personal Data

In addition to the information contained in this privacy policy, Smartboatia may provide the User with additional and contextual information concerning particular Services or the collection and processing of Personal Data upon request.

System logs and maintenance

For operation and maintenance purposes, Smartboatia and any third-party services may collect files that record interaction with Smartboatia (System logs) or use other Personal Data (such as the IP Address) for this purpose.

Information not contained in this policy

More details concerning the collection or processing of Personal Data may be requested from the Owner at any time. Please see the contact information at the beginning of this document.

Changes to this privacy policy

The Owner reserves the right to make changes to this privacy policy at any time by notifying its Users on this page and possibly within Smartboatia and/or - as far as technically and legally feasible - sending a notice to Users via any contact information available to the Owner. It is strongly recommended to check this page often, referring to the date of the last modification listed at the bottom.

Should the changes affect processing activities performed on the basis of the User's consent, the Owner shall collect new consent from the User, where required.

Definitions and legal references

Personal Data (or Data)

Any information that directly, indirectly, or in connection with other information — including a personal identification number — allows for the identification or identifiability of a natural person.

Usage Data

Information collected automatically through Smartboatia (or third-party services employed in Smartboatia), which can include: the IP addresses or domain names of the computers utilized by the Users who use Smartboatia, the URI addresses (Uniform Resource Identifier), the time of the request, the method utilized to submit the request to the server, the size of the file received in response, the numerical code indicating the status of the server's answer (successful outcome, error, etc.), the country of origin, the features of the browser and the operating system utilized by the User, the various time details per visit (e.g., the time spent on each page within the Application) and the details about the path followed within the Application with special reference to the sequence of pages visited, and other parameters about the device operating system and/or the User's IT environment.

User

The individual using Smartboatia who, unless otherwise specified, coincides with the Data Subject.

Data Subject

The natural person to whom the Personal Data refers.

Data Processor (or Processor)

The natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Controller, as described in this privacy policy.

Data Controller (or Owner)

The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data, including the security measures concerning the operation and use of Smartboatia. The Data Controller, unless otherwise specified, is the Owner of Smartboatia.

Smartboatia (or this Application)

The means by which the Personal Data of the User is collected and processed.

Service

The service provided by Smartboatia as described in the relative terms (if available) and on this site/application.

European Union (or EU)

Unless otherwise specified, all references made within this document to the European Union include all current member states to the European Union and the European Economic Area.

Legal information

This privacy policy relates solely to Smartboatia, if not stated otherwise within this document.

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