

Privacy Policy

The controller operating the website located at the domains <https://www.creatake.com/> and <https://tool.creatake.com/> is IMANENT, s.r.o. with its registered office at Mudroňova 31, 040 01 Košice – Juh, company ID: 52 329 135, registered in the Commercial Register of the District Court Košice I, section Sro, insert no. 46144/V (hereinafter referred to as “Controller”).

This Privacy Policy constitutes the fulfilment of the duty of the Controller to provide information to data subjects within the meaning of Article 13 of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as “GDPR”). In this document, we provide you with detailed information about how our company processes the personal data of all visitors and users of the website located at the domains <https://www.creatake.com/> and <https://tool.creatake.com/>.

In order to ensure fair and transparent processing of personal data, the Controller provides basic information on how it processes personal data about natural persons as data subjects and what rights data subjects have.

What personal data do we collect and what do we use the collected data for?

During your use of the <https://www.creatake.com/> and <https://tool.creatake.com/> websites (and their subpages), we only process the personal data that we need to provide you with our services and customer support, to comply with our legal obligations, and to protect our legitimate interests.

We collect personal data about our customers, including potential customers who are interested in our services or who have given us consent to offer them our services.

In particular, we process the following categories of personal data:

Basic identification details

We need basic identification details for the purposes of the contract you intend to enter into with us. This includes business name, title, name, surname of the statutory body or contact person, their job title and employer, registered office and company ID.

Contact details

Contact details include email and telephone number.

Information about the use of our services

This information includes information about the services you have purchased from us, and we may recommend other suitable services based on this information.

Information about our interactions with you

We record information about our interactions with you in writing so that we can provide you with suitable customer support.

Transaction details

This is solely information about payments for our services.

For what purposes do we process personal data?

We process personal data:

- without the need for your consent,
- with your consent.

Processing without the need for your consent:

Processing on the basis of a contract

We process your personal data for the purpose of concluding a contract between you, as our customer and potential client, and us, as the supplier, when you use our services. In this case, personal data are only processed to the extent necessary for the conclusion and performance of the relevant contract. This includes in particular the performance of the subject matter of the contract, customer support, contract management and the registration of subscribers.

For this purpose, the provision of your personal data is entirely voluntary, but is necessary for the conclusion of the contract and its subsequent management. Without these data, we would not be able to conclude the contract with you and fulfil the obligations and rights arising from it.

Processing on the basis of legitimate interests

The legitimate interests of the Controller are:

- to inform you of news concerning the management of your contract and to offer you the services of the company
- to defend legal claims.

Processing for statistical purposes

After the termination of your contract and the expiry of the period for which we retain personal data, the personal data is further processed for statistical purposes in an anonymised form.

Processing with your consent:

Processing for marketing purposes

We also process your personal data for marketing purposes if we have your consent for this purpose.

In particular, marketing includes the following activities:

- sending information emails (newsletters) containing tips for trips and other news.

The consent provided for marketing purposes is entirely voluntary, but is necessary in order for us to be able to send you newsletters. This consent can be withdrawn at any time.

Reasons for processing personal data

The processing of the personal data collected and provided is a necessary part of the activities of the Controller. Without the processing of personal data, the Controller would not be able to provide clients, potential clients, business partners or other data subjects with services in the required scope and quality.

Information on the obligatory/voluntary provision of the requested personal data:

With respect to any personal data necessary for the performance of a contract with you, you are under no legal obligation to provide us with such personal data; however, if you do not provide us with such personal data, we will not be able to provide the requested service as set out above.

At the same time, for any personal data processing for which you have given your consent, you have the right to withdraw your consent at any time without any adverse effect on any contact you may have with us.

Where the legal basis for processing your personal data is overridden by our legitimate interests and we use the legal basis under Article 6(1)(f) of the GDPR to process your personal data, you are obliged to accept this processing, but you have the right to object to it. You can find out more about this right in a separate section below.

Retention period:

We retain your personal data for as long as necessary to fulfil the purposes for which we collected them. Personal data processed due to an order for services will be

retained by us for 10 years from the date of the invoice in accordance with the Income Tax Act, as amended.

We will arrange for the deletion of the personal data without undue delay after:

- (a) all contractual relationships between the customer and the controller have been terminated,
- (b) all obligations of the customer towards the controller have ceased to exist,
- (c) all complaints and requests of the customer have been processed,
- (d) all other rights and obligations between the customer and the controller have been settled,
- (e) all the processing purposes provided for by law or the processing purposes for which the customer has given consent have been fulfilled, if the processing was carried out on the basis of the data subject's consent,
- (f) the period for which consent was given has expired or the data subject has withdrawn his/her consent,
- (g) the data subject's request for the deletion of personal data has been granted and one of the grounds justifying the granting of that request has been met

and, at the same time, all obligations of the controller laid down by generally binding legal regulations which require the retention of the customer's personal data (in particular for archiving purposes in the public interest, tax inspection, etc.), or which could not be fulfilled without their retention, have ceased to exist.

Records that are no longer required are irreversibly anonymised (they cannot be matched to a specific person and can be retained further) or securely deleted or discarded.

In no event will we systematically further process any personal data obtained accidentally for any purpose defined by the Controller. Where possible, we shall inform the data subject to whom the accidentally obtained personal data belong of their accidental acquisition and, according to the nature of the case, we shall provide him/her with the necessary cooperation leading to the restoration of control over his/her personal data. Immediately after these necessary steps to resolve the situation, we shall immediately destroy all accidentally obtained personal data in a secure manner.

Provision of information. Who is the recipient of your personal data?

Personal data processed by the Controller may also be processed by third parties, if the Controller so decides or the Controller's obligation to provide personal data arises from the law of the Slovak Republic.

In cases where the choice of the recipient of personal data is up to the Controller, the Controller shall always ensure, when choosing these partners, that a high standard of protection of the data subject's personal data is guaranteed.

The personal data of the data subject are also provided to:

(a) courts, other public authorities and other government authorities, where necessary for the exercise of the Controller's rights against the data subject or for the fulfilment of the Controller's legal obligation,

(b) third parties who will act on behalf of the Controller in the provision of services or in the performance of other activities related to the provision of services, on the basis of an authorisation from the Controller, for the purposes of and in connection with the provision of services, etc.

(c) third parties who, on the basis of an authorisation from the Controller, will carry out marketing research and marketing activities and contact Subscribers on behalf of the Controller for this purpose (marketing agencies and external agencies providing call centre services);

(d) new owners of our company and legal advisers in the sale of our company or other similar transaction.

The persons authorised to receive and process personal data are (i) internal employees and (ii) external partners of the Controller. If the aforementioned entities are based outside the EU/EEA, we will ensure that adequate safeguards are in place to protect your personal data in accordance with Article 44 et seq. of the GDPR.

Are your personal data transmitted outside the EU?

Your personal data are primarily processed only within the European Union. Personal data of the data subject may be processed in European Union countries and in countries that are party to the Agreement on the European Economic Area. Personal data may only be transmitted to those third countries whose legal system is considered by the European Commission to ensure an adequate level of protection of personal data.

Rights of the data subject

The data subject has the right to:

- a. request from the Controller access to the personal data concerning the data subject,
- b. the correction, deletion or restriction of personal data processing,
- c. object to personal data processing,
- d. the portability of personal data,

- e. file a complaint or a petition to initiate proceedings with the supervisory authority, i.e., the Office for Personal Data Protection of the Slovak Republic,
- f. withdraw their consent to personal data processing at any time.

If you have any questions related to the protection of your personal data, please contact us using the contact details provided in the Contact Us section below. However, you should also be advised that certain exceptions apply to the exercise of these rights and therefore you may not be able to exercise them in all situations.

How and where you can make your request

Requests to exercise your right as a data subject under the GDPR can be made:

- (i) by sending a written, signed request to the Controller's registered office address,
- (ii) by email with a trusted electronic signature to the Controller's email address,
- (iii) in person at the Controller's registered office; or
- (iv) by any other means.

You should clearly identify yourself and indicate the right you wish to exercise in the request.

Please note that we may ask you to prove your identity in a trusted manner when processing your request to exercise your right as a data subject under the GDPR and other relevant data protection legislation, particularly if you request the exercise of your right in a manner other than a written, signed letter, an email with a trusted electronic signature, or in person at the Controller's registered office (e.g., in the case of routine email requests or telephone calls).

How and when will your request be processed?

Each of your requests to exercise the right of a data subject received by the Controller will be individually and competently assessed, and we will always inform you of the result within one (1) month of receipt of the request. You will not be charged a fee to process your request related to the exercise of your right as a data subject under the GDPR and other relevant data protection legislation.

If your request is clearly unfounded or unreasonable, particularly because it is a repeat request, we are entitled to charge a reasonable fee to cover the administrative costs associated with providing the requested information. If you make a repeated request for copies of the personal data processed, we reserve the right to charge a reasonable fee for the administrative costs for this reason.

In the event that, in your opinion, we do not process your request to exercise the right of a data subject in accordance with the GDPR, you have the option to file a complaint with the supervisory authority or seek a judicial remedy directly with the competent court.

Withdrawal of consent

Where we have asked you to consent to the processing of the personal data we hold about you, you may withdraw your consent at any time without affecting the lawfulness of the processing on the basis of your consent prior to its withdrawal. If you wish to do so, please contact us using the contact details provided in the Contact Us section below.

Complaint

You have the right to file a complaint with the data protection supervisory authority at a local level by sending your request to the Office for Personal Data Protection of the Slovak Republic, whose contact details can be found at <https://dataprotection.gov.sk/uouu/>.

Links to other websites

At our discretion, we may include or offer third party products or services on our websites. These third party websites are separate with their own privacy policies. We are therefore not responsible for the content and activities of these linked websites. However, we strive to protect the integrity of our websites and welcome any feedback about these websites.

Changes to the Privacy Policy

We reserve the right to modify and amend this Privacy Policy as required.

Please check the Privacy Policy regularly to keep informed of any changes. The version that always applies is the one currently published on the websites <https://www.creatake.com/> and <https://tool.creatake.com/>

These terms were last modified on 1. 11. 2021

Contact Us

If you have any comments, questions or requests regarding the use of your personal data, or if you have any questions about this Privacy Policy, please contact us at:

Email address: info@creatake.com

Correspondence address:

IMANENT, s.r.o.

Mudroňova 31

040 01 Košice

Slovakia

We welcome your questions and suggestions regarding this Privacy Policy.