

# ORBITVU Privacy Policy

Last updated: 27.08.2024

## General information

The company ORBITVU (hereinafter referred to as "ORBITVU") along with its Local Offices, Commercial Partners and Brand Partners, hereinafter collectively referred to as ORBITVU Trusted Partners (contact details of ORBITVU and ORBITVU Trusted Partners you can find at the bottom of this Privacy Policy) are the controllers of the personal data of (actual and potential) customers of our products and services to the extent set out in this Policy.

This means that we collect and use such data (in other words "we process personal data") for the purpose of acquiring customers, fulfilling orders received from them, providing services, warranty and post-warranty support, as well as to inform about our current offer or for any other need to communicate with the customer.

Not all information concerning our customers is "personal data" in the light of law. It is only information that relates to the identity of a natural person, i.e. an individual as opposed to so-called legal persons - existing on the basis of legal regulations (e.g. various types of companies). However, also customers who are legal entities may also be associated with personal data of their employees and representatives who, acting on their behalf, provide us with their personal data. Such personal data we may receive are, but are not limited to, your name, e-mail address (if it may reveal the identity of an individual), telephone number and place of work.

Since our products and services, including ORBITVU SUN, are addressed to business or professional customers (B2B), and not to consumers (B2C), most of the data we process are not personal data.

This Privacy Policy is primarily designed to protect personal data, although it also governs our use of all information we obtain about our customers (including "non-personal data"). In cases where this Policy applies to any data we process about our customers or potential customers, we will use the term "data", while "personal data" will mean only data about the identity of individuals. This individuals may be customers (actual or potential) or

employees/representatives of the customer (legal entity or natural person), that the customer uses when dealing with ORBITVU. We will hereinafter abbreviate such personal data as "customer (personal) data".

The Privacy Policy is in line with laws and regulations on the protection of personal data, in particular with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation, hereinafter referred to as the GDPR). The rules of the GDPR govern the processing of personal data by companies from the European Economic Area that includes ORBITVU.

We treat the received data as confidential, which is why we try to protect them as far as possible against unauthorized persons. For this purpose, we use technical means, such as e.g. secure communications protocols. All our employees who come into contact with your data have been properly trained to process them.

We respect your right to privacy. We only use the information you provide to us for the purpose for which it was collected with your consent or pursuant to legal provisions allowing us to do so.

Thanks to the information we receive from our customers and those interested in our offer, as well as the use of cookies and similar technologies (see section "Use of cookies"), we improve our products and services, improve the quality of service and adapt more and more to the needs and expectations of our customers.

We want you to know how we use the information we hold, how you can protect your privacy and what rights you have in relation to your personal data. You will learn all of this from this Privacy Policy. Please read it carefully and contact us if you have any questions.

In the Privacy Policy you will find information about :

- general information;
- the data we collect;
- use of the ORBITVU SUN CLOUD Service;
- use of ORBITVU STATION application
- use of cookies;

- legal bases for using the data;
- retention period for the data;
- data protection and data security;
- entities with access to the data;
- your rights under the GDPR regulations;
- how we interact with you;
- changes in the Privacy Policy;
- contact and registration details of ORBIVU and our Trusted Partners;

## Data we collect

Due to the fact that our offer is addressed mainly to business customers (B2B) and not to consumers (B2C), we mainly collect data concerning companies (legal entities) interested in or already using our products and services. As indicated above it may also include personal data of their representatives and employees.

The data may be shared with us either by the interested parties themselves via our website (contact forms, newsletter subscriptions), by e-mail, phone or through personal contact (e.g. at trade fairs). The data may also be collected by us automatically using cookies or similar technology (see section: "Use of cookies").

Through the contact forms on our websites - depending on its type and purpose - you can provide us with data such as your full name, your company name, company e-mail address, your country and company telephone number. In the form, you can share with us other information that will help us to provide you with information better adapted to your needs and business profile (e.g. branch of your company, number of photos taken per month). We will use your data for the purpose for which the form is used (e.g. to make an offer for a product, to send you a marketing newsletter, to answer your question) and for the marketing of our products and services, including the display of personalized online advertisements, if you have given your marketing consent by ticking the relevant checkbox on the form (see section: "Legal bases for using the data").

Our newsletter may contain information about our products, news, changes in price lists and offers, invitation to trade shows and events organized by us, etc

You can revoke your marketing consents at any time by contacting us about it by any of the means indicated in our contact details at the end of this Policy, including, for example, by sending us an email to: [privacy@orbitvu.com](mailto:privacy@orbitvu.com).

You can also unsubscribe from the marketing newsletter by clicking the "unsubscribe" button in the newsletter email you have received.

In order to process your purchase order, issue an invoice and deliver the products, we will need additional information as required by law ( e.g. a postal address and tax identification number of your company).

Remember, that by providing us with your data you do it voluntarily. You have no legal or contractual obligation to do so. However, some data may be necessary, for example, to process your order (company name, postal address, tax identification number) or request. Without such information we may not be able to sell you our products or services nor provide the information you asked for.

The data collected by us automatically contain information about activity of the visitors on our website and the way our services and applications are used (ORBITVU SUN Service, ORBITVU STATION app), for which we use the so-called cookies or similar technology. The data allow us to constantly improve and adjust our websites, services and products to the customer's preferences, as well as fulfil our marketing objectives, including displaying personalized online advertisements for our products and services. The condition for such use of cookies by us is your consent. More on this see in sections "Use of cookies" and "Use of ORBITVU STATION application".

In accordance with the requirements of the GDPR regulations, we would like to inform you that neither you nor your company will be subject to a decision based by ORBITVU solely on automated processing of the data (without human involvement), including profiling.

## **Use of the ORBITVU SUN CLOUD Service**

ORBITVU owns and manages ORBITVU SUN CLOUD web service available at [www.orbitvu.co](http://www.orbitvu.co) (hereinafter referred to as the ORBITVU SUN or Service). It provides a 360/3D/2D multimedia presentation management service. The

Service also serves the users of ORBITVU solutions to manage purchased licenses for ORBITVU software, to download ORBITVU software and to buy additional services such as technical support and extended warranty.

A user of the Service is a company registered in the Service. In order to register, you need to provide your full name, your company name and country and a company e-mail address. Your data registered in the Service are not visible to other users of the Service. ORBITVU uses your data to provide you with warranty and technical support service.

The company that owns the ORBITVU SUN account can manage access to the account by related individuals (e.g. its employees or co-workers).

If you become our customer, i.e. you have purchased one of our products, you will receive an activation e-mail from us, which will allow you to register with the Service.

If you are not our customer yet (you have not used our products yet), you can register in the Service (create a company account) by providing the above data and choosing a password to the account. Free registration will enable you to test our ORBITVU SUN Service.

ORBITVU SUN users receive technical information about the functioning of the Service via e-mail (to the address provided by them), e.g. about the expiry of their account, technical breaks, new functionalities of the Service, legal warnings.

If you register with the Service on its website, you may also give your consent to receive, at the e-mail address provided, commercial communications containing news about our product and service offerings. The information is sent in the form of a marketing newsletter.

You can unsubscribe from receiving the marketing newsletter at any time in your account settings or by clicking the unsubscribe button in the newsletter e-mail.

Other parts of the Privacy Policy also apply to the data of ORBITVU SUN users. Please read them carefully.

## **Use of ORBITVU STATION application**

ORBITVU STATION desktop application provides the possibility to control ORBITVU devices, connected cameras and to edit photos.

The application is available to download via customer's ORBITVU SUN account at [www.orbitvu.co](http://www.orbitvu.co).

To use ORBITVU STATION you shall register in the ORBITVU SUN Service (for this see section: „Use of the ORBITVU SUN CLOUD Service”).

ORBITVU STATION uses analytics software to track data about activity of users (e.g. button clicks) in this application which helps us to better adjust it to their preferences. For this purpose we use our own or external analytics software that allows us to have total control of these data, like e.g. Countly Analytics by Countly Ltd. We do not use Google Analytics to this end.

If you are not our customer yet using a free trial version of ORBITVU STATION application we will also track your activity data described above.

We do not transfer the data obtained in this way to third parties. We have full command over servers and databases which store these data, how they are configured and who has access to them.

Our recording and processing of the activity data is based on your consent to this Privacy Policy when installing ORBITVU STATION application.

You may withdraw your consent to our processing of such data at any time by informing us about it by any means indicated in our contact details at the end of this Policy, including, for example, by sending us an email to: [privacy@orbitvu.com](mailto:privacy@orbitvu.com).

ORBITVU STATION users receive technical information about the functioning of the SUN Service via e-mail (to the address provided by them) or via in-app notifications e.g. about the expiry of their account, technical breaks, new functionalities of the ORBITVU SUN Service, legal warnings.

Also please note that ORBITVU does not have access to the photos taken by its customers or information about items photographed by them using our devices and applications. Users data collected in ORBITVU applications gives us absolutely no possibility to recognize what is being photographed by the

users. There is technically no way for us to retrieve the data in the form of image files created by users in ORBITVU applications

## Use of cookies

Through our websites, including those of the ORBITVU SUN Service, we use so-called cookies and similar technologies (e.g. local storage). Cookies are information technology data containing a small amount of text which are sent by a web server to a user's browser when it accesses web pages.

We use cookies and similar technologies for the purpose of:

- adapting the content of the web pages to the user's preferences and optimising the use of those pages;
- producing statistics that help us understand how visitors to our websites use them; for this purpose, we also use external web analysis services provided by Google (Google Analytics), User.com and Microsoft (Microsoft Clarity), with the help of their cookies;
- analyzing user behavior in the ORBITVU STATION application, for which we use our own and external files (e.g. Countly Analytics by Countly Ltd);
- displaying online ads on the external services (websites), tailored to the interests of the users of such services (personalized advertising), which are owned by Google (Google Search web browser, Gmail, YouTube), by Meta (Facebook social network, Instagram), by X Corp. (X platform formerly known as Twitter) and by Microsoft (LinkedIn). Cookies and similar technologies are used for this purpose, which collect information about your browsing history and how you navigate through our websites. Personal data (e.g. email address) provided by you may also be used for this purpose, which, with your consent, we can share with the above-mentioned external services (websites) owners that provide marketing and advertising services to us;
- enabling users of the social networks outlined above (Facebook, X, LinkedIn) to use some of their functions more easily through the use of the networks' own cookies. We have no control over these external cookies and they do not allow us to access the network users' accounts;

- ensuring efficient operation of our services and websites, including all functionalities of the ORBITVU SUN Service and adjusting them to users' preferences;

Our use of cookies or similar technologies to collect the information about how you use our services and sites is based on your consent. You can manage your consent for specific cookies using Cookieboot tool by Usercentrics, which will be displayed when you first access our sites. Cookieboot is also available by clicking the button below:

[Cookieboot](#)

You can also change the conditions for storing and accessing cookies in the settings of your browser (see your browser's help system for information). If you do not agree to the use of cookies, please change your browser settings accordingly.

Please note that blocking cookies may cause difficulties in using certain functionalities of our websites and services, including ORBITVU SUN Service.

## **Legal bases for using the data**

We use your data only for the purposes for which you have given us your consent or for which we are entitled by law, in particular under the GDPR provisions.

These provisions indicate the following legal bases for processing personal data:

- 1) Article 6(1)(b) of the GDPR regulations, according to which personal data may be processed if this is necessary for the performance of a contract to which the data subject (i.e. our customer) is party or in order to take steps at the request of the data subject prior to entering into a contract.

We use the above basis in the case of:

- data provided to us by the customer for the purchase of our products, which we use for the fulfilment of the customer's order, the delivery of the product and after-sales service (warranty and post-warranty service);



- data concerning the users of the ORBITVU SUN Service and the ORBITVU STATION application, which are used in order to provide the ORBITVU SUN Service and to enable the use of the ORBITVU STATION application including the communication of technical information concerning their functioning;
- contracts concluded with legal entities (companies), the performance of which requires the use of data of natural persons connected with them (e.g. employees, representatives);
- the exchange of personal data of actual and potential customers between ORBITVU and ORBITVU Trusted Partners, if such exchange is necessary for the conclusion or performance of a contract with the customer (e.g. the forwarding of a customer enquiry submitted on a website administered by ORBITVU to our Local Office or our Commercial Partner serving the customer's country of residence);

2) Article 6(1)(f) of the GDPR, according to which personal data may be processed if this is necessary for the purposes of the legitimate interests pursued by the controller (i.e. by ORBITVU).

We may use the above basis in the case of:

- the processing of personal data to ensure the security of the data, services and sites we operate and to prevent fraud involving the unlawful use of personal data;
- the exchange of personal data of customers and potential customers between ORBITVU and our Trusted Partners for statistical, analytical, administrative and control purposes within the ORBITVU Global Distribution Network that we manage. ORBITVU enters into agreements with the Trusted Partners governing the transfer of such personal data;
- certain forms of direct marketing, such as e.g. mailing campaigns, for which we obtained personal data of potential customers from publicly available databases and records;
- the exchange of personal data of potential customers between ORBITVU and our Trusted Partners for certain forms of direct marketing, such as e.g. mailing campaigns, for which we obtained data of customers from publicly available databases and records;

You may object to our processing of your personal data on the above basis at any time by contacting us about it by any of the means indicated in our contact details at the end of this Policy, including, for example, by sending us an email to: [privacy@orbitvu.com](mailto:privacy@orbitvu.com)

3) Article 6(1)(a) of the GDPR regulations, according to which personal data may be processed with the consent of the data subject

We may use the above basis in the case of:

- sending responses to customer enquiries and requests (e.g. to send you our commercial offer);
- registering applicants for events, meetings and webinars we organize;
- our marketing and advertising activities, which are not based on the legitimate interests of the controller (Point 2) above), e.g. mailings or personalized online ads for which we use personal data, external cookies and similar technologies (on this subject see point "Use of cookies"). The personal data you provide us with also enables us to display our advertisements on external services used by you, which are owned by Google (Google Search web browser, Gmail, YouTube), by Meta (Facebook social network, Instagram), by X Corp. (X platform formerly called Twitter) and by Microsoft (LinkedIn portal). This may also be done by us passing on your personal data (e.g. email address) - with your consent - to the above-mentioned external service owners who provide advertising and marketing services to us (via tools such as Google Ads);
- the recording and analysis of user behavior in the ORBITVU STATION application;
- the exchange of personal data of customers and potential customers between ORBITVU and our Trusted Partners, to which customers have given their consent

You may withdraw the consent you have given for the processing of your personal data at any time by contacting us about it in any of the ways indicated in our contact details at the bottom of this Policy, including, for example, by sending us an email to: [privacy@orbitvu.com](mailto:privacy@orbitvu.com)

The management of your consent to cookies and the purpose of their processing is described under: "Use of cookies".

You can find out more about Google's use of personal data at:  
<https://business.safety.google/privacy/>

Personal data held by us will not be passed on to other persons or entities for their advertising or commercial purposes, unless the data subject agrees to the passing on of its data to our Brand Partners.

## **Retention period for data**

The data we hold are processed by us in principle for the period necessary to achieve the purpose for which they were collected, i.e. to perform the contract for the customer, provide after-sales service (warranty and post-warranty support), provide ORBITVU SUN Service, send newsletter or communicate other information requested by the user (customer).

This does not mean, however, that once we have achieved the above purposes, we will immediately delete all the related data. The obligation to store the data for a longer period of time may result from the provisions of law, in line with Article 6 (1) (c) of the GDPR, according to which personal data may be processed if this is necessary for compliance with a legal obligation to which the controller is subject. This applies in particular to tax, accounting and statistical regulations, which require e.g. storing data on commercial transactions with customers for a period of several years.

ORBITVU as data controller is also entitled to store personal data related to the customer until the statute of limitations for the customer claims (e.g. for damages) connected with the purchased product or service, for the purpose of possible defense against such claims. The limitation periods for claims are defined by the relevant legislation.

Moreover, in order to secure the data collected in our IT system, to protect it against loss due to system failure and to capture and eliminate potential violations of personal data, we create back-up copies (backups) containing comprehensive data of the IT system for the time necessary for the above purposes. The objective of achieving appropriate level of data security excludes the possibility to delete individual information (including specific personal information) from the backup copy. The legal basis for such data storage is the legitimate interest of the controller (in accordance with Article 6(1)(f) of the GDPR provisions).

# Data protection and data security

In order to ensure the best protection of the data transferred to us against their disclosure to unauthorized persons, we have applied a number of technical, IT, organizational and legal safeguards:

- we collect data on our own server, located in a separate, guarded place; data from the ORBITVU SUN Service are stored on secure Amazon Web Services (AWS) servers located in the European Union;);
- the premises in which we process data are protected by numerous physical security measures against unauthorized access;
- we use an internal firewall-protected network that is not accessible from the outside;
- we use communication encryption to our servers using SSH protocol;
- we back up personal data (backups) in order to protect them against accidental loss or intentional destruction;
- we have implemented appropriate procedures to collect and process personal data in accordance with the provisions of the GDPR, we monitor and enforce their observance; in the case of a personal data breach we are obliged to notify to the national data protection supervisory authority within 72 hours;
- we train our staff on an ongoing basis in the protection and processing of personal data and monitor the regulations in this area;
- if the processing of personal data takes place with the participation of an external service provider, we use the services of only reputable companies, that ensure appropriate level of security and protection of the personal data entrusted to them;

## Entities with access to data

The data of actual and potential ORBITVU customers are available to ORBITVU and to those of our Local Offices and Commercial Partners that serve the customer's country of residence.

If a customer has provided us with its data via our multilingual website (orbitvu.com, orbitvu.pl, orbitvu.de, orbitvu.es, orbitvu.fr), of which ORBITVU is the administrator, we will make these data available to the relevant ORBITVU Local Office and Commercial Partner. They will contact the customer in its local language, provide it with all the information that is of interest to him, and through them the customer can purchase ORBITVU products and services. They will also provide after-sales service (warranty and post-warranty service) to the customer on their own or in cooperation with ORBITVU.

If the customer has provided its data directly to one of our Local Offices or Commercial Partners, they will transfer the data to ORBITVU for statistical, analytical, administrative and control purposes, as well as for our support in the performance of the contract concluded with the customer (e.g. for warranty service requiring the assistance of ORBITVU engineers).

ORBITVU enters into agreements with Trusted Partners governing the transfer of customers' personal data in compliance with the GDPR regulations.

With a view to serving our customers efficiently and professionally, ORBITVU also uses IT solutions and tools developed by other companies. On this occasion, some personal data we process may be entrusted to external IT service providers. However, we only select service providers that provide adequate guarantees for the protection of the data entrusted to them. In relation to the data so entrusted ORBITVU continues to be the data controller and exercises control over it.

The IT tools of external service providers we use include:

- hosting services ( e.g. the data of ORBITVU SUN users is stored on secure Amazon Web Services (AWS) servers located in the European Union);
- mailing platforms;
- analytical and statistical tools which measure how users use our products, services and websites in order to improve their quality and communication with customers, provided by Google (Google Analytics), User.com and Microsoft (Microsoft Clarity);
- advertising and marketing services provided by Google (personalized online ads on Google Search, Gmail, YouTube), by Meta (ORBITVU ads on Facebook and Instagram), by X Corp. (X platform formerly called Twitter) and by Microsoft (LinkedIn platform);

The transfer of personal data to the above-mentioned service providers is based on an agreement concluded with them in compliance with the GDPR regulations.

Some of the above providers of IT tools that ORBITVU uses may be based in the United States or affiliated with companies from the United States (Google, Meta, X Corp., Microsoft). On 10 July 2023, the European Commission adopted its adequacy decision for the EU-US Data Privacy Framework, having concluded that the United States ensures an adequate level of data protection - comparable to that of the European Union (UE) - for personal data transferred to US companies participating in the framework. The decision allows for the transfer of personal data from the European Economic Area to such US companies, without the need to put in place the EU standard contractual clauses or another GDPR safeguard (Article 46 of the GDPR). The list of US companies participating in the Data Privacy Framework, is available on the website of the US Department of Commerce.

If a US based service provider is not on the Data Privacy Framework List, the transfer of personal data from ORBITVU to this provider will be based on standard contractual clauses (model contract developed by the European Commission). In accordance with the GDPR regulations, this also applies to IT service providers from countries outside the European Economic Area other than the United States, for which the European Commission has not issued a decision on their assurance of an adequate level of protection of personal data, with whom ORBITVU will sign - when using of their services - standard contractual clauses.

Personal data related to our customers may also be entrusted by us to other entities, if this is necessary for the execution and handling of the concluded contracts with the customers, i.e. courier and transport companies, customs agencies, accounting offices, auditors, law firms.

Personal data held by us will not be forwarded to other persons or entities for their advertising or commercial purposes, unless the data subject agrees to the forwarding of its data to our Brand Partner.

We are obliged to disclose the personal data we hold if requested to do so by authorized public authorities, e.g. the police, the public prosecution service, a court or the authority supervising compliance with data protection regulations in a given country.

# Your rights under the GDPR regulations

In accordance with the provisions of the GDPR stipulating personal data protection for companies from the European Economic Area, to which this Privacy Policy complies, you have following rights with respect to your personal data, of which ORBITVU and ORBITVU Trusted Partners are the controllers:

- the right to obtain confirmation from us as to whether or not we are processing your personal data and, where this is the case, the right to access your personal data and receive information about your specific data we process, the purpose of processing it, its retention period and entities that have access to your data;

Information on how long we store personal data and who has access to it can be found in this Policy (in the sections "Retention period for data" and "Entities with access to data").

If you are a user of the ORBITVU SUN Service, you have access to your data registered in the Service through your ORBITVU SUN profile.

- the right to rectify personal data which are inaccurate or to have incomplete data completed;

If you are a user of the ORBITVU SUN Service, you can exercise this right over the data registered in the Service by editing and correcting it through your ORBITVU SUN account.

- the right to withdraw at any time the consent to the processing of your data, where the basis for such processing is your consent (Article 6, (1)(a) of the GDPR provisions); this applies, for example, to withdrawing the consent to receive the marketing newsletter;
- the right to erasure your data ("the right to be forgotten") if we no longer need it for the purpose for which we received it (once this purpose have

been achieved) or if you have withdrawn the consent to the processing of your data (where the basis for such processing was your consent);

In some cases, the obligation to store your data due to law or on the basis of the legitimate interest of the controller may prevent your request from being met. You can find out more from the section "Retention period for data".

- the right to demand that data processing be restricted to the storage of data without any further processing in the following situations:
  - in the case of your contesting the correctness of personal data (the limitation of the processing will then last for a period enabling us to verify the correctness of your data);
  - in the case that the processing of your data proved to be unlawful and its erasure was impossible due to your objection;
  - in the case that your personal data became unnecessary for us and were needed by you in order to establish, assert or defend any of your rights;
- the right to object to the processing of your personal data by us on the basis of the legitimate interest of the controller;
- the right to lodge a complaint with the data protection supervisory authority in a given country (in Poland: the Office of Personal Data Protection), if in your opinion we do not comply with the GDPR regulations

If you wish to exercise the above rights, please write (by email or post) or call - either directly to ORBITVU or through your ORBITVU Local Office or our Commercial Partner, that will forward your request to us. Contact details are at the bottom of this Privacy Policy.

## **How the company communicates with customers**

Our company only communicates with you in the manner in which you have given your consent and only to the address (especially e-mail address) or telephone number provided by you for this purpose.



# Changes to the Privacy Policy

We reserve the right to modify this Privacy Policy in order to adapt it to possible changes in data protection legislation or changes in the scope of data processed by us.

The revised Privacy Policy will be published on this website.

## Contact and registration details of ORBITVU and our Trusted Partners

### ORBITVU

ORBITVU Sp. z o.o.  
ul. Pszczyńska 299 (budynek A), 44-100 Gliwice, Poland

#### identification numbers:

NIP (fiscal identification number): 6452515131.

REGON (statistical number): 241721595

ORBITVU is registered in the Sąd Rejonowy w Gliwicach (District Court in Gliwice (Poland)) under entry number KRS: 0000366154

Share capital of ORBITVU 2,027,000 PLN

#### contact details:

e-mail: [privacy@orbitvu.com](mailto:privacy@orbitvu.com)

phone: (0048) 32 7681680

fax: (0048) 32 3921061

You can find contact information for our **Local Offices** and **Commercial Partners** that constitute ORBITVU Global Distribution Network on our website at: <https://orbitvu.pl/kontakt/>

A list of our **Brand Partners** and links to their websites is available at: <https://orbitvu.com/partnership/>

