Privacy Policy

Effective: July 21, 2024

Welcome to SmartCP, a division and brand owned by SmartAction.io Sp. z o.o. ("SmartCP", "we", "our", "us").
For detailed information about our company, please refer to our Copyright document.

1. General Provisions

At SmartCP, we are committed to protecting your privacy and ensuring that your personal data is handled in a safe and responsible manner. This Privacy Policy (the "Policy") outlines how we collect, use, disclose, and safeguard information about visitors nor users ("User", "you") of our website (smartcp.org) (the "Site") nor our Software as a Service (SaaS) products (the "Service").

The data controller for the purposes of this Policy is SmartCP, a division and brand owned by SmartAction.io Sp. z o.o., located at Dekabrystów 82, 42-202 Częstochowa, Poland.
As a company based in the European Union, we adhere to the General Data Protection Regulation (GDPR) and other applicable data protection laws. We are dedicated to maintaining the confidentiality, integrity, and security of your personal data.

By using our Site and Services, you agree to the collection and use of information in accordance with this Policy. We encourage you to read this Policy carefully to understand our views and practices regarding your personal data and how we will treat it.

2. Data We Collect

At SmartCP, we collect and process various types of personal data to provide and improve our Services. The types of information we collect include:

a. Personal Information You Provide to Us

- **Contact Information:** When you sign up for our Services or contact us (usually through special forms on our Site), we collect information such as:
    - Your name
    - Email address
    - Phone number
    - Company name
- **Account Information:** To create and maintain your account, we may collect usernames, passwords (which are encrypted as a matter of course), and other authentication details such as:
    - **Usernames and Logins:** These are necessary for accessing our Services.

    - **Temporary Password:** We generate a temporary password (not encrypted) when you sign up for our Services. We immediately recommend that you change this password after your first login for security purposes.
    - **Company Data:** This includes your company's name, address, Tax ID (VAT number), and contact email. This information is used for proper invoicing and communication.

- **Services Data:** To provide you with the ordered Services, we may collect data that you input into our platform. This can include user accounts details, customer information, and other data specific to the Services you use. This data is necessary for the functionality and delivery of the Services.
- **Customer Support Information:** When you contact our support team, we may collect details about your inquiry and any other information you choose to provide.

b. Information We Collect Automatically

- **Usage Data:** We collect information about how you interact with our Site and Services. This includes data such as IP addresses, browser type, operating system, referring URLs, pages viewed, and the dates/times of your visits.
- **Device Information:** We may collect information about the devices you use to access our Services, including device type, operating system, and unique device identifiers.
- **Cookies:** We use cookies to collect information about your usage of our Site and Services. This helps us understand your preferences and improve your experience. For more details, please see our Cookies Policy.

c. Information from Third Parties

- **Third-Party Integrations:** If you choose to integrate third-party services with our Services, we may receive information from those services.

d. Anonymized and Aggregated Data

We may also collect, use, and share aggregated data such as statistical or demographic data. This data does not directly or indirectly reveal your identity and is used to analyze trends and improve our Site and Services.
Specifically, we use Google Analytics and Meta (formerly Facebook) Analytics tools to help us understand how our Site and Services are used. These tools provide us with insights into user behavior, which helps us enhance the functionality and performance of our offerings.

3. How We Use Your Data

At SmartCP, we use the data we collect to provide, maintain, and improve our Services. Specifically, we use your information for the following purposes:

a. Providing and Managing the Services

- **Account Setup and Management:** To create and manage your account, authenticate users, and provide access to our Services.
- **Service Delivery:** To provide you with the ordered Services, including processing transactions, managing user accounts, and ensuring the functionality and performance of our Services.

- **Customer Support:** To respond to your inquiries, provide technical support, and address any issues you encounter with our Services.

b. Communication

- **Service-Related Communications:** To send you important information about your account, our Services, and any updates or changes to our terms, conditions, and policies.
- **Promotional Communications:** To inform you about new features, services, promotions, and events. You can opt-out of receiving these communications at any time by following the unsubscribe instructions included in each email.

c. Improving Our Services

- **Analytics and Research:** To analyze usage data and user behavior. This helps us understand how our Services are used, identify trends, and improve the functionality and performance of our offerings.

d. Legal and Compliance

- **Compliance with Laws:** To comply with applicable laws, regulations, and legal processes, including responding to subpoenas or other legal requests.
- **Enforcing Our Terms:** To enforce our terms and conditions, investigate potential violations, and protect the rights, property, and safety of SmartCP, our users, and others.

e. Personalization

- **Customization:** To personalize your experience with our Services, including displaying content and recommendations tailored to your interests and preferences.

f. Security

- **Protection:** To protect the security and integrity of our Site and Services, prevent fraudulent activities, and monitor for and detect security incidents.

4. Legal Bases for Processing Data

We process your personal data based on the following legal grounds:

- **Consent:** When you have given us clear consent to process your personal data for a specific purpose, such as receiving promotional communications. By filling out the relevant forms and/or sending your personal data to SmartCP through the website smartcp.org or directly, you express your consent to this Policy. SmartCP also processes anonymized data about the User if it is allowed in the User's browser settings (if saving cookies and using JavaScript technology is enabled).
- **Contract:** When the processing is necessary for the performance of a contract with you, or to take steps at your request before entering into such a contract, such as providing and managing the Services.
- **Legitimate Interests:** When the processing is necessary for our legitimate interests, provided that your interests and fundamental rights do not override those interests. Our legitimate

interests include improving our Services, ensuring the security of our Site, and communicating with you.

- **Legal Obligation:** When the processing is necessary to comply with a legal obligation to which we are subject, such as compliance with tax regulations and other laws.

5. Sharing Your Data

We value your privacy and are committed to ensuring that your personal data is protected. We share your information only in the following circumstances:

a. Third-Party Service Providers

We use third-party service providers to support our Site and Services. These providers help us with various functions, including but not limited to:

- Hosting and Infrastructure: We use third-party service providers to host our Site and Services, provide data storage, and backup services. These providers ensure that your data is securely stored and managed in compliance with applicable data protection regulations.

b. Legal Obligations and Security

We may disclose your personal data if required to do so by law or in response to valid requests by public authorities (e.g., a court or a government agency). We may also disclose your information if we believe it is necessary to:

- Comply with a legal obligation
- Protect and defend our rights or property
- Prevent or investigate possible wrongdoing in connection with our Services
- Protect the personal safety of users of the Services or the public
- Protect against legal liability

c. Business Transfers

In the event of a merger, acquisition, reorganization, or sale of all or a portion of our assets, your personal data may be transferred as part of the transaction. We will notify you of any such change in ownership or control of your personal data.

d. With Your Consent

We may share your personal data with third parties when we have your explicit consent to do so. You have the right to withdraw your consent at any time.
We take all necessary measures to ensure that your personal data is handled securely and in accordance with this Policy and applicable data protection laws.

6. Data Security

At SmartCP, we are committed to ensuring the security and protection of your personal data. We implement a variety of measures to safeguard your information from unauthorized access, disclosure, alteration, and destruction.

a. Security Measures

- **Encryption:** For the protection of data during transmission, we use an up-to-date TLS (Transport Layer Security) protocol to encrypt your data. This helps ensure that your information is securely transmitted over the internet.

- **Access Controls:** Access to your personal data is restricted to authorized personnel only. We enforce strict access controls to ensure that only those who need access to your information for their work can view or process it.
- **Secure Infrastructure:** We employ robust security measures in our infrastructure, including firewalls, intrusion detection systems, and regular security updates, to protect against cyber threats and unauthorized access.
- **Data Backup:** Regular backups of your data are conducted to ensure that we can recover your information in case of data loss or corruption.

b. Data Breach Response

- **Incident Response Plan:** We have a comprehensive incident response plan in place to address any potential data breaches swiftly and effectively. This includes identifying the source of the breach, containing the incident, and notifying affected individuals and relevant authorities as required by law.
- **Notification:** In the event of a data breach that affects your personal data, we will notify you without undue delay. We will provide details about the breach, its potential impact, and the steps we are taking to address the issue.

c. User Responsibilities

- **Password Protection:** We recommend that you use strong, unique passwords for your account and change them regularly. You are responsible for maintaining the confidentiality of your login credentials and notifying us immediately if you suspect any unauthorized use of your account.
- **Secure Devices:** Ensure that any device you use to access our Services is secure and up-to-date with the latest security patches and antivirus software.

d. Third-Party Service Providers

We use third-party service providers to support our products and services, including hosting and processing your data. When choosing these providers, we perform a risk assessment to evaluate their compliance with legal regulations and security standards. We ensure that they adhere to appropriate security measures to protect your data and store it in secure locations.

7. Your Data Protection Rights

Under the General Data Protection Regulation (GDPR), you have certain rights regarding your personal data. We are committed to upholding these rights and ensuring that you can exercise them effectively. Here's an overview of your data protection rights:

- **Right to Access.** You have the right to request access to the personal data we hold about you. This allows you to confirm whether we are processing your data and to obtain a copy of it. To make a request, please contact us at info@smartcp.org.

- **Right to Rectification.** If you believe that any of the personal data we hold about you is inaccurate or incomplete, you have the right to request that we correct or update it.

- **Right to Erasure.** You can request that we delete your personal data when it is no longer necessary for the purposes for which it was collected, if you withdraw your consent, or if the data was processed unlawfully. We will assess your request and, if applicable, take appropriate action to erase your data.

- **Right to Restriction of Processing.** You have the right to request that we restrict the processing of your personal data under certain conditions, such as when you contest the accuracy of the data or object to its processing.

- **Right to Data Portability.** You have the right to receive your personal data in a structured, commonly used, and machine-readable format. You can also request that we transfer this data to another organization, where technically feasible.

- **Right to Object.** You can object to the processing of your personal data based on our legitimate interests or for direct marketing purposes. If you object to processing based on legitimate interests, we will cease processing your data unless we have compelling legitimate grounds to continue.

- **Right to Withdraw Consent.** If we process your personal data based on your consent, you have the right to withdraw that consent at any time. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

- **Right to Lodge a Complaint.** If you believe that we are not complying with data protection laws, you have the right to lodge a complaint with a supervisory authority. You can contact the relevant data protection authority in your country for assistance.

- **Email Communications.** If you receive an email from us that you no longer wish to receive, you can opt out by using the unsubscribe link provided in the email. However, please note that you will still receive emails related to transactions and services you have requested or purchased. Additionally, we may send you important non-promotional communications, such as updates to our terms or this Privacy Policy, which you cannot opt out of.

- **Data Retention.** We retain your personal data only for as long as necessary to fulfill the purposes for which it was collected, comply with legal obligations, and resolve disputes. This includes retaining data to protect ourselves from potential damage in the event of litigation, in accordance with current legislation. Once the retention period expires, we securely delete or anonymize your data to ensure it is no longer accessible or usable.
  Please note that it is your responsibility to keep a copy of any data you have stored on our servers in case of any loss. Further, if you cease using our Services, we will not be responsible for the retention or recovery of your data after the termination of your account.

- **Data Management.** You may manage your personal data in your SmartCP account. As a User of our Services, you are responsible for the data you provide within our Services. This includes managing your data by adding, modifying, and deleting it as necessary.
  We provide you with tools to manage your data within our software, and we take reasonable measures to ensure the security and privacy of your data. However, it is ultimately your responsibility to ensure that your data is accurate, complete, and up-to-date, and that you have appropriate permissions to use, share, and store the data within our Services.

8. Location of Your Data

All personal data collected through our Site and Services is stored within the European Union (EU). We ensure that your data is handled in accordance with the General Data Protection Regulation (GDPR) and other applicable data protection laws. By using our Site and Services, you acknowledge that your personal data will be stored and processed in the EU.

9. Third-Party Links

Our Site and Services may contain links to third-party websites that are not under our control. When you follow a link to a third-party website and provide your information, please be aware that we are not responsible for the data you provide to that third party. This Policy only applies to our Site and Services, so when you visit other websites, even if you click on a link posted on our Site, you should review their privacy policies to understand how they handle your personal data.

10. Changes to This Policy

We may update this Policy from time to time to reflect changes in our practices, technologies, legal requirements, and other factors. When we make changes to this Policy, we will update the "Last Updated" date at the top of this document. Any changes to this Policy will become effective when the revised Policy is posted on our website.
We encourage you to review this Policy periodically to stay informed about how we are protecting your personal data. If we make any material changes to this Policy, we will notify you by prominently posting a notice on our website or by sending you a direct notification.
Your continued use of our Services after the effective date of any changes to this Policy will constitute your acceptance of the revised Policy. If you do not agree to the updated Policy, you must stop using our Services and close your account, if applicable.

11. Contact Information

If you have any questions, concerns, or requests regarding this Policy or our data practices, please contact us via email: info@smartcp.org

We ensure that the collection and processing of all personal data comply with applicable data protection laws, including the GDPR. Our goal is to collect only the information necessary to fulfill the purposes outlined in this Policy and to handle it with the utmost care and respect for your privacy.