

Privacy Statement

Version: 7 January 2019

We respect your privacy and always process your personal data in accordance with the applicable regulations such as the General Data Protection Regulation (GDPR). In this privacy statement we will explain how we use your personal data, for what purposes, and who we share it with.

1. Definitions:

App: the app that is offered by Close B.V., under the name Close, to enable Publishers to communicate with visitors to their events, and to enable visitors to communicate with each other.

User: the user of the App.

Conversation: mobile phone conversation about a particular event.

Chat: Conversation for a specific User.

Group Chat: Chat in which other Users also participate on the invitation of a User.

Publisher: the organiser of an event that uses the App to communicate about its event. This also includes third parties that use the App, on the instructions of the Publisher, to issue communications about the Publisher's event.

2. Controllership and contact

Close B.V., with its registered office in Amsterdam, is the controller (within the meaning of the GDPR) for the use of personal data in the context of offering the App. This includes, for example, the use of your data during the phase in which you download the App and create an account as well as all processing operations that are required to let the App function in a technical sense. Close is also the independent controller for inviting friends to use the App.

The App was developed to enable you and the Publisher to communicate with one another more easily about events and to enable you to communicate with other Users. As regards all use of the App in the context of a Conversation about a particular event, Close and the Publisher organising the event are joint controllers. You may exercise your rights under the GDPR in the manner set out in 7 by contacting Close, but also by contacting the Publisher.

Close is not responsible for any further use of this data by the Publisher after the receipt of such data via Close or via the App. For more information on this subject, please read the Publisher's privacy statement, which is also available via the App.

If you have any questions after reading this privacy statement, please contact us by email: privacy@thecloseapp.com or by post:

Close B.V., FAO Privacy Officer, PO Box 10, 1000 AA Amsterdam.

3. What data?

When you use the App, we may process the following categories of your personal data.

Account data:

- Username;
- mobile phone number;
- profile picture (optional, this does not have to be a picture by which you can be identified);
- Close user ID.

Technical/functional data:

- IP address;
- mobile phone number;
- your phone's language settings;
- the application installation number allocated when the App was installed.

Purchase and payment data:

- information about any purchases you make via our App during or in connection with an event;
- your payment details (if you make purchases in the App).

Event data:

- information about the event you will be attending, such as the date, ticket price, artist (or artists), location/venue, etc.

Conversation data:

- the questions the Publisher asks you and your answers (optional) to those questions;
- the event to which the Conversation pertains.

Chat conversations:

- metadata about the Conversations you have with other Users, such as who sends a message, the date, and whether a picture is sent.
Please note: Close does not store or further process the content of your Conversations.

Data about the use of the App:

- information about your use of the App in general, such as which Conversations you participate in, who the respective Publishers are, whether you participate in Group Chats, etc.;
- information about your use of the App in a Conversation or Group Chat, e.g. whether a message is sent or opened, or whether a picture is sent, etc.

Invitation data:

- the phone numbers of the persons you invite to take part in a Group Chat;
- the user name and phone number of the person sending the invitation;
- the Conversation to which you invite these persons.

4. Purposes and basis for data processing

We use personal data for the following purposes. We have also stated the legal basis for the processing operation.

A. Close's responsibility as controller

- In order to enable you, in a technical sense, to download and use the App.

Categories of personal data: technical/functional data and account data.

Legal basis: performance of the agreement.

- In order to enable you to invite your friends to take part in a Group Chat and, if they haven't done so already, to install the App and to send an invitation to do so.

Categories of personal data: invitation data.

Legal basis: performance of the agreement with the person who sends the invitation and a legitimate interest on Close's part as regards the person who receives the invitation.

- In order to secure the App and to be able to ensure the safe use of the App.

Categories of personal data: technical/functional data and data about the use of the App.
Legal basis: Close's legitimate business interest.

- In order to improve the App (e.g. through A/B tests).

Categories of personal data: technical/functional data and data about the use of the App.
Legal basis: Close's legitimate business interest in optimising and renewing the App.

B. Close and the Publisher's responsibility as joint controllers

- In order to facilitate a Conversation between you and the Publisher and possibly between you, the Publisher and other Users in a Group Chat.

Categories of personal data: account data, technical/functional data, Conversation data, Chat data.

Legal basis: performance of the agreement.

- In order to adjust the Chat's content within a Conversation based on your answers to the Publisher's questions and your phone's language settings.

Categories of personal data: Conversation data and your phone's language settings.

Legal basis: consent.

- In order to inform you, in the App, about events and related services or products that may be of interest to you.

Categories of personal data: account data, technical/functional data, event data.

Legal basis: Close's legitimate interest in making use of the App more interesting for you through being able to inform you about other events, products or services (such as a Publisher's newsletter). The Publisher's legitimate interest in being able to better marketing its events and related products or services.

- In order to enable you to make purchases during or in relation to events, including the Publisher's products and services, to deliver the purchases and to execute payment.

Categories of personal data: technical/functional data, purchase and payment data.

Legal basis: performance of the agreement.

- In order to make aggregated data sets with data on participants of a Conversation which Close and the Publisher may use to improve and tailor their service provision and products (such as events) to their desired target group.

Categories of personal data: account data, event data, Conversation data.

Legal basis: consent.

- In order to provide information to the Publisher on which Users have taken part in a Publisher's Conversation. This concerns the following data:

a) telephone number;

b) name;

- c) if any other data is provided, you will be informed separately.

Legal basis: the Publisher's legitimate interest in knowing who took part in its Conversations, so that it can identify the persons who use the App in connection with an event. For any further use of the data, the Publisher is the sole controller. For more information on what the Publisher may do with your data, we refer you to the Publisher's privacy statement, which is also available in the App.

- If a Conversation contains links to a Publisher's website, we will occasionally share your Close User ID with the Publisher.

Legal basis: the Publisher's legitimate interest in knowing who visits its website via the App. For any further use of such data, the Publisher is the sole controller. For more information on what the Publisher may do with your data, we refer you to the Publisher's privacy statement, which is also available in the App.

5. Recipients of your data

In principle we do not share your data with third parties. The following persons/parties will be able to access or use your data(of some of it):

- We, our employees and the service providers we have engaged (such as payment service providers), all subject to confidentiality and only to the extent necessary for the purposes stated in this privacy statement.
 - We use the following service providers, among others:
 - Ziggo Services B.V., Netherlands (provides our internet connection);
 - TransIP, Amsterdam (provides hosting services and for this reason stores our databases on servers in Amsterdam);
 - Kovoks B.V., Netherlands (handles the hosting of our email servers);
 - payment service providers such as Mollie or Adyen, if it is possible to make purchases within a Conversation.
- other Users with whom you communicate in a Group Chat can see your user name, telephone number, your photo (if provided) and the contents of your communication with them. They are themselves accountable for their use of this data. The Publisher can only read messages sent to it, such as answers you give to its questions.
- The content of the messages you send to other Users in a Group Chat will not be shared with third parties.
- In its capacity as joint controller, the Publisher may receive certain personal data as described above at 4. If there is any further use of these personal data, the Publisher itself becomes the controller. You can find more information on this in the Publisher's privacy statement, which is also available in the App.

6. Retention period

We will not retain your data any longer than is necessary and we will delete your personal data at the latest 1 year after you delete the App.

If you do not use the App anymore, we will send you a message after 1 year asking if you want to continue to use the App. If there is no reply to this message or to a reminder, we will delete your personal data.

We may retain (aggregated) data that can no longer be traced back to individuals for a longer period.

7. Your rights

You are entitled to:

- access the personal data that we process about you;
- ask us to improve or delete the personal data; (you can also delete certain Conversations in the App);
- object to the way in which we process your personal data;
- ask us to transmit your personal data (data portability);
- file a complaint with the Dutch Data Protection Authority;
- withdraw the consent you have given us to process your personal data.

For this, you can contact us using the details stated under 'Controllershship and contact'.

8. Alterations

We may alter the way in which we process personal data as well as this privacy statement. We will actively inform you of any material changes via the App or using the data provided by you. You can find the most recent version of this privacy statement on our website thecloseapp.com and in the App.