

# Privacy Policy

(effective May 11, 2018)

This Privacy Policy governs the handling of personal data collected by Swoozo. By using this website, you expressly agree to the analysis and disclosure of your personal data by Swoozo. This Agreement shall be interpreted in accordance with the laws of the Federal Republic of Germany. Read this "Privacy Policy" ("Agreement") carefully. If something should be unclear, please contact us using the contact form. If you do not agree with our "Privacy Policy", please leave this website.

## The user

The user is hereinafter collectively referred to as the "user" or "users". The use of this website (www.swoozo.com) requires the user to be of legal age. Minors aged 13 to 18 years old may only use this website (www.swoozo.com) under the supervision and with the consent of a parent or legal guardian. By using this website, the parents or legal guardians of minors agree to and accept the contracts, directives e.g., the Data Protection Directive, and other agreements on this website.

If you are not at least the age of 13, you may not use this website. Please do not send Swoozo any personal information (including your email address, name and/or other information). Contact may only be established by your parents or your legal guardian.

## Personal data

When you visit this website (www.swoozo.com), Swoozo may obtain, collect, and save non-personal information. Non-personal information may include Internet protocol (IP), browser type, data about your system. This non-personal information will not be used to identify you as a person.

If you register on our website as a member (as buyer or seller), Swoozo will ask for personal data. Data are personal if they can be clearly assigned to a particular natural person. Personal data such as your name, address, email address, nationality. Personal data (for example your name, address, email address, nationality etc.) will only be processed by us in accordance with the provisions of the German data protection law, i.e. The Federal Data Protection Act (BDSG) and the German Telemedia Act (TMG).

In addition to the data and information already mentioned, Swoozo also collects data about, for example, the number of downloaded works, the number of uploaded works, the number of members, dates, and other information relevant to the functioning of this site. Swoozo has partially outsourced payment transactions to third parties, which in turn can lead to the collection of personal data by these third parties. Swoozo has the right to collect and store data and information, for the clarification of, for example, copyright infringement or violation of other rights, as well as in the case of fraud or other criminal activities.

The following regulations inform you about the nature, extent and purpose of the collection, use and processing of personal data by the proprietor.

www.swoozo.com  
Managing Directors: Rayk Böhm  
Email : mail@swoozo.com  
Phone: +49 (0) 151 66278258

We point out that internet-based data transmissions have security gaps, so that complete protection against access by third parties is impossible.

## Cookies

You hereby accept and agree that by your using this website, Swoozo may store personal and other information on your computer with the help of so-called "cookies". These cookies are used exclusively for the smooth operation of this website (www.swoozo.com). You agree that disabling or limiting the use of cookies on your computer you may adversely affect the functioning of this site. Swoozo's Privacy Policy applies solely to cookies used by Swoozo.

Cookies are data records that are sent by the web server to the user's web browser and stored there.

These are usually called "Session cookies", which are deleted after the end of your visit on our website (www.swoozo.com).

However, in some cases, these cookies are stored for later retrieval in order to recognize you again automatically. This recognition is based on the IP address stored in the cookies.

The information obtained in this way is used to optimize our offers and to make it easier for you to access our website.

You can determine yourself whether cookies can be collected by setting your web browser in such a way that you are informed before a cookie is stored and not having to save it until you explicitly accept it.

## Server Log Files

The provider of this website automatically collects and saves information in called server log files, which your web browser automatically transmits to us.

These are the following: Name of the retrieved web page, file, date and time of the retrieval, notification of successful retrieval, transmitted data volume, browser type and browser version, operating system of the user, referrer URL, IP address and the requesting provider. These data cannot be attributed to specific persons. This data is not merged with other data sources. However, Swoozo reserve the right to review these data at a later date if aware of any concrete indications for unlawful use.

## Registration

On this website (www.swoozo.com) you have the opportunity to register.

The data entered during registration, which can be seen in the entry fields of the registration form, namely name, postal address, email address, company name, nationality, user name, account type and password are collected and stored exclusively for the use of this website. When registering on this website, we will also save your IP address, date and time of your registration. This serves as security on our part in the event that a third party misuses your data and registers with this data on this website without your knowledge. There is no transfer to third parties. A comparison of the collected data with data that may be collected by other components of this website is also not effected.

## Third-party companies

Swoozo uses the services of third party companies on this website, such as PayPal. In addition, there may be links on this website that lead to other internet sites. If you click on these links, you leave this website (www.swoozo.com). You accept and agree that Swoozo accepts no liability for the content of the linked to websites in regards to the security of personal data. You agree that other websites have their own policies with the handling of personal data and other collected information. It may be that on the other linked to websites you will be asked for information such as name, address, email addresses, credit card number, IP address and other information. The data protection guidelines of this website do not govern the collection, transfer or handling of personal data by third parties. You should therefore inform yourself about the handling and collection of personal data and cookies on the linked to third-party websites.

## Use of data and information

You acknowledge and agree that Swoozo may use your personal information to:

- Provide you with a membership account
- Verify your identity
- Allow you to upload and/or download
- Provide you with payment (payments/payouts) services
- Ensure you a good customer service
- Provide you with informational material

You accept and agree that Swoozo may use your personal information for in-house statistics. You accept and agree that Swoozo may pass on your personal data to third parties relevant to the operation of this website. Swoozo reserves the right to evaluate personally identifiable information beyond a cancelled membership if required for the exercise and/or maintenance of our services.

## Data Retention

Swoozo will store your information for as long as your account is active or as needed for you to provide our services. If you wish to delete your account or request that we no longer use your information to provide you services contact us at mail@swoozo.com. We will respond to your request within 14 days. Swoozo will store and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## Google Analytics

This website uses Google Analytics, a web analysis service provided by Google Inc. ("Google").

The use is made on the basis of Art.6 para.1 p.1 lit. f. DSGVO.

Google Analytics uses "cookies", which are text files stored on your computer. These files analyse how you use a website.

The information generated by the cookie about your use of this website such as browser type and browser version, operating system used, referrer URL (previously visited website), host name of the accessing computer (IP address), and time of the server request are usually transferred to a Google server in the USA and stored there. The IP address transmitted by your browser as part of Google Analytics is not conflated with other Google data.

In addition, we have added the code "anonymizeIP" to Google Analytics on this website. This guarantees your IP address is masked, which means all data is collected anonymously. The full IP address will only be transferred to a Google server in the USA and shortened in exceptional cases.

On behalf of the operator of this website, Google will use this information to evaluate your use of this website, to compile reports on website activity, and to provide other services associated with website use and internet use to the website operator. You may refuse saving cookies by selecting the appropriate settings in your browser. However, we would like to point out that in this case you may not be able to use all functions of this website to the full extent. You can also prevent Google from collecting the data generated by the cookie and relating to your use of this website (including your IP address) and from processing this data by Google by downloading and installing the web browser plugin available at the link (link:

<https://tools.google.com/dlpage/gaoptout?hl=en>).

As an alternative to the browser add-on, especially for browsers on mobile devices, you can also prevent Google Analytics from collecting data by clicking this link to disable Google Analytics.

This sets an opt-out cookie which prevents any future collection of your data when visiting this website. The opt-out cookie is only valid in this web browser and only for this website and is stored on your device. If you delete the cookies in this browser, you must reset the opt-out cookie. For instructions on incorporating the opt-out cookie, please visit:

<https://developers.google.com/analytics/devguides/collection/gajs/?hl=de#disable>. We still use Google Analytics to evaluate data from double-click cookies and AdWords for statistical

purposes. If you do not want this, you can disable the function via the Ads Preferences Manager (<https://www.google.com/settings/ads/onweb?hl=en>). Further information on data protection

in connection with Google Analytics can be found in the Google Analytics Help at the following link: <https://support.google.com/analytics/answer/6004245?hl=en>.

### **Social Media Plugins**

On some of our pages, we allow you to share personal information with third parties, such as social networks like Twitter. In these instances, you are agreeing to the data being shared and the shared data is subject to the privacy policies of the third parties. We do not control and do not assume any responsibility for the use of personal information by such third parties. For more information about the third party's purpose and scope of their use of personal information in connection with sharing features, please visit the privacy policies of such third parties.

### **Protection of personal data**

Your personal data and information are protected by your user name and password. Please keep your login data secret and keep your login data protected from access by third parties. Additionally, we ask you to log out when leaving from this site. You accept and agree that your data and information given on this website may also be evaluated outside your location (e.g., your home country). The collection and analysis of personal data is not location-specific or linked to countries. Despite high security technologies, Swoozo cannot 100% guarantee the absolute security of your data and information. Swoozo guarantees the maximum utilization of all the means available to the company in protecting your personal data. Therefore Swoozo accepts no liability for the loss, theft, and misuse of personal data, information, or other data. This particularly applies to data submitted to third parties or to the non-compliance with Swoozo's Privacy Policy for this website [www.swoozo.com](http://www.swoozo.com).

### **Right to information**

You can contact us free of charge related to questions concerning the collection, processing or use of your personal data and their correction, blocking, deletion or the revocation of a given consent on the basis of the Federal Data Protection Act. We would like to point out that you have the right to correct incorrect data or to delete personal data, if this request is not contradicted by a statutory retention requirement.

### **Duty of disclosure**

Swoozo is obliged to disclose personal data and information at the request of authorized authorities and/or in the case of legal regulations. Swoozo reserves the right to provide requested data in accordance with legal requirements, including without limitation, by court order.

### **Amendments**

Swoozo reserves the right to amend the terms and conditions of this Agreement (the "Privacy Policy") partially or entirely. These changes take effect immediately upon publication. The current status is always the one that is currently presented on this website. If you no longer agree with the changes, please terminate your membership and use of [www.swoozo.com](http://www.swoozo.com). Swoozo is not obliged to inform members of changes to the Privacy Policy. Members are therefore required to regularly inform themselves about the current status of the privacy policy.

### **Disclaimer**

You hereby agree and agree that neither Swoozo nor its agents, licensors or licensees are liable for any damages or consequential damages (incidental, direct or indirect) regarding your personal data that may arise from your use of this website. The provisions and agreements of this privacy policy are binding and to be regarded as part of the usage conditions valid on this website.

### **Contact information**

On this website we offer you the opportunity to contact us either by email or by using the contact formular. In such event, information provided by the user is stored for the purpose of facilitating communications with the user. No data is transferred to third parties. Nor is any of this information matched to any information that may be collected by other components of this website. You can contact Swoozo by eMail ([mail@swoozo.com](mailto:mail@swoozo.com)), by phone (+49 (0) 151 66278258) or by post: [www.swoozo.com](http://www.swoozo.com), Rayk Böhm, Schlesische Straße 37, D-10997 Berlin.

### **Other provisions**

Note: The original, legally binding version of this document is written in German and translations into other languages are only for the convenience for non German speaking users. If there are any inconsistencies between the German and the translated version, the German version supersedes the translated version.