

PRIVACY POLICY

This Privacy Policy describes the information LAVATECK LIMITED (hereinafter "Retainly", "we" or "us") collects from its users (hereinafter "you" or "user") who are provided with the services as defined in the Terms of Service and the information we collect on behalf of our clients who employ our technology to use our email messaging, analytics, and other services (the "Services").

This Privacy Policy is also binding to (i) visitors of our website, and (ii) individuals who contact us through our website and/or email.

This Privacy Policy does not apply to third parties that Retainly does not own or control. Such third parties are not under Retainly's control and we are not responsible for their privacy or security practices.

We may also use non-personal data. Non-personal data as used in this Privacy Policy is therefore any information that does not relate to a person and/or cannot be used to identify a person. The limitations and requirements in this Privacy Policy do not apply to non-personal data.

Why we process your data and on what legal basis

Retainly might collect the categories of personal data and will use your personal data for the purposes set out below in compliance with the EU General Data Protection Regulation (hereinafter "GDPR"), where applicable, and other relevant laws.

Retainly processes personal data of you in order to provide you with the Services. The data processed for such purpose may include: full name, email, phone number, data in the account, and others. The legal ground for processing this data is Article 6 (1) (b) GDPR - contract performance.

Our Services contain automated personalized messaging tool which enables sending messages to users/clients by several messaging platforms - e.g., email, push-notifications, etc. The Services use the user's personal data for sending messages via these channels. In addition, our clients may use your personal data for targeted marketing purposes. In order to receive targeted marketing, you need to provide your specific consent. The legal grounds for processing this data are Article 6 (1) (f) GDPR - legitimate interest and Article 6 (1) (a) GDPR - consent. In every email you will have the opportunity to click the "unsubscribe" link if you do not want to receive any further marketing communication from us.

If you submit a request to us through any contact form or email on our website, we will process your name, email address, phone number, and other data you provide us with. We will process the data for the purpose of dealing with your request. The legal ground for processing this data is Article 6 (1) (a) GDPR - consent.

Information We Share

We do not sell personal data we collect about you. We may disclose information about you (i) if we are required to do so by law or legal process, and (ii) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss, or in connection with an investigation of suspected or actual fraudulent or illegal activity. We also reserve the right to transfer personal data we have about you in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, dissolution, or liquidation).

Your Rights and Choices

We offer you certain choices in connection with the personal data we collect from you. To update your preferences, ask us to remove your data or submit a request, please contact us at support@retainly.app. To the extent provided by the law of your jurisdiction, you may request access to the personal data we maintain about you or request that we correct, amend, delete, block, or move the information by contacting us as indicated below. Where provided by law, you may withdraw any consent you previously provided to us or object at any time on legitimate grounds to the processing of your personal data, and we will apply your preferences going forward.

To the extent the EU General Data Protection Regulation applies to the processing of your personal data, you have the following rights and choices:

Right to information, Art. 15 of the GDPR.

Right to correction, Art. 16 of the GDPR.

Right to deletion (“Right to be forgotten”), Art. 17 of the GDPR.

Right to limit or restrict processing, Art. 18 of the GDPR.

Right to data portability, Art. 20 of the GDPR.

Right to object, Art. 21 of the GDPR.

To exercise any of these rights, please contact us at support@retainly.app. We will respond to requests to access or delete your personal data within 15 days.

In order to be able to process your request, as well as for identification purposes, please note that we will use your personal data in accordance with Art. 6 (1) (c) of the GDPR.

How can you withdraw your consent?

If you consent to us processing your personal data, please note that you may withdraw this consent at any time.

If you have consented to receive our marketing mailings, such as newsletters, you may withdraw this consent yourself using the unsubscribe link in the marketing mailings.

If you have consented to the use of our cookies, you can withdraw your consent as explained in our cookies section.

In all other cases or if you have problems withdrawing your consent on this website, you can contact us at support@retainly.app.

Please note that your consent can only be withdrawn with future effect and such a withdrawal does not have any influence on the lawfulness of past processing. In some cases, we may be entitled in spite of your withdrawal to continue to process your personal data on a different legal basis.

Cookies

Cookies are small text files containing a random and unique identifier that either Retainly or a third party web analytics provider transfer to your computer or mobile device through your web browser (unless you set your web browser to reject cookies). The cookies used on the website include those which are strictly necessary - cookies for access and navigation, cookies that track usage - performance cookies, remember your choices - functionality cookies, and cookies that provide you with targeted content or advertising. Retainly uses cookies to, among other things, recognize your device, preferences and web browser, track your movement through the website, and to track and measure the success of the Services and improve your online experience. Additionally, these cookies are used to gather anonymous statistical information on how the website is browsed.

Cookies help us understand our visitors’ needs and interests, and we use that information to improve our website and the Services. They are not linked to any personally identifiable information. Allowing us to create and use cookies does not give us access to the rest of your computer or mobile device.

Using the website without disabling cookies in your web browser settings constitutes consent to the use of cookies.

When you use the website, you may also be sent third party cookies. Our advertisers and service providers may send you cookies. These third parties may collect your IP address and non-personal data about your visits. This is completely anonymous and does not include your name, address, email address or other personal data. They may use the information they obtain from your use of their cookies to, among other things, track your web browser across multiple websites, build a profile of your web surfing, target advertisements which may be of particular interest to you.

You may prevent us from placing cookies by activating the setting on your web browser that allows you to refuse the setting of all or some cookies, but you may not be able to use the website or some website features.

You can find more information about cookies at: <https://www.aboutcookies.org/>.

How we protect personal data

Retainly takes reasonable and appropriate measures to protect your personal data from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the personal data. Therefore, we maintain administrative, technical and physical safeguards designed to protect the personal data you provide on the website against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure, or use.

Your information is deleted as soon as it is no longer needed for the specified purposes. However, we must sometimes continue to store your personal data until the retention periods and deadlines set by statute, regulation, or supervisory authorities, which may arise, for instance, from the applicable commercial code, tax code or money laundering acts and regulations, expire. We may also retain your personal data until the statutory limitation periods have expired, provided that this is necessary for the establishment, exercise or defense of legal claims. After that, the relevant personal data is deleted.

Data integrity and purpose limitation

As a cloud-based platform, Retainly uses the Amazon Web Services (hereinafter "AWS") which comply with the GDPR and is certified with ISO 27001 for technical measures, ISO 27017 for cloud security, and ISO 27018 for cloud privacy. Retainly stores personal data including its backups at AWS cloud services in the Republic of Ireland.

You can find AWS full statement at: <https://aws.amazon.com/blogs/security/all-aws-services-gdpr-ready/>.

Retainly limits the personal data it processes to that which is relevant for the purposes of the particular processing. Retainly does not process personal data in ways that are incompatible with the purposes for which the information was collected or subsequently authorized by you. In addition, to the extent necessary for these purposes, Retainly takes reasonable steps to ensure that the personal data we process is (i) reliable for its intended use, and (ii) accurate, complete and current. In this regard, Retainly relies on its users and clients (with respect to personal data of users with whom Retainly does not have a direct relationship) to update and correct the relevant personal data to the extent necessary for the purposes for which the information was collected or subsequently authorized. Users (and clients, as appropriate) may contact Retainly as indicated below to request that Retainly update or correct relevant personal data.

Subject to applicable law, Retainly retains user personal data in a form that identifies or renders identifiable the relevant user only for as long as it serves a purpose that is compatible with the purposes for which the personal data was collected or subsequently authorized by the user.

Access

Users generally have the right to access their personal data. Accordingly, where appropriate, Retainly provides users with reasonable access to the personal data Retainly maintains about them. Retainly also provides a reasonable opportunity for those users to correct, amend or delete the information where it is inaccurate.

Retainly may limit or deny access to personal data where the burden or expense of providing access would be disproportionate to the risks to the user's privacy in the case in question, or where the rights of persons other than the users would be violated. Users may request access to their personal data by contacting Retainly as indicated below.

When Retainly maintains personal data about users with whom Retainly does not have a direct relationship because Retainly maintains the users' data for its clients, Retainly's clients are responsible for providing users with access to the personal data and the right to correct, amend or delete the information where it is inaccurate or has been processed in violation of the privacy principles, as appropriate. In such circumstances, users should direct their questions to the appropriate Retainly client. When a user is unable to contact the appropriate client, or does not obtain a response from the client, Retainly will provide reasonable assistance in forwarding the user's request to the client.

Our Services and website are not directed to individuals under the age of eighteen. If you are under eighteen, do not provide your personal data to the website. We do not knowingly collect any personal data from individuals under eighteen on our website. Individuals under eighteen should not use the website without authorization from a parent or legal guardian.

Updates to our Privacy Policy

This Privacy Policy may be updated periodically and without prior notice to you to reflect changes in our personal information practices. It is your responsibility to monitor changes, so please check the Retainly website periodically. If you continue using the Services, this will be considered as acceptance of the announced changes by you.

If you have any questions or comments about this Privacy Policy, you can contact us at support@retainly.app.