

## Introduction

When you use the OXYCAR services (hereinafter, "OXYCAR"), you entrust us with certain personal data. We attach great importance to the protection and security of your data and have drafted this Personal Data Policy (hereinafter, "the Charter") to inform you of our privacy practices.

This policy describes the personal data that we collect, how we use, share and store it, and the purposes of the main processing operations carried out.

**This charter may be subject to updates.**

**Date of entry into force: 19/02/2021**

## 1. Definitions

In this Charter, the terms with a first capital letter shall have the meaning set out in this document, it being specified that terms in the plural may be understood in the singular and vice versa.

<b>" Personal data "</b>	<p>"personal data" means any information relating to an identified or identifiable natural person (hereinafter referred to as "data subject"); an "identifiable natural person" is one who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, an on-line identifier, or to one or more factors specific to his or her physical, physiological, genetic, mental, economic, cultural or social identity;</p>
<b>"Sensitive data"</b>	<p>Sensitive data is a special category of personal data. It is information revealing alleged racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, as well as the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning the sexual life or sexual orientation of a natural person.</p>
<b>" Publisher "</b>	<p>The person, natural or legal, who publishes online communication services to the public</p>
<b>"Site "</b>	<p>All the sites, web pages and online services offered by the Publisher</p>
<b>"Data processing".</b>	<p>any operation or set of operations, whether or not carried out using automated processes and applied to personal data or sets of personal data, such as collection, recording, organisation, structuring, storage, adaptation or modification, retrieval, consultation, use, communication by transmission, dissemination or any other form of making available, alignment or interconnection, limitation, erasure or destruction;</p>
<b>« Provider»</b>	<p>Refers to a third party company allowing the integration of OXYCAR services within its IT solutions.</p>
<b>« Third Party Company»</b>	<p>refers to a company that has signed a contract with OXYCAR in order to make a Mobility pot available to Users.</p>
<b>"User "</b>	<p>Refers to any Passenger or Driver who has access to or uses the Platform, the content, products and services made available by OXYCAR.</p>

**"Platform** Refers to the Website and the Application that make up the OXYCAR carpooling platform.

## 2. Who is responsible for processing your data?

OXYCAR, located at 1, Rue Gambrinus 67190 Mutzig, is responsible for the processing of personal data collected in connection with the use of OXYCAR services in the European Economic Area and the United Kingdom.

In this respect, please note that no transfer of your personal data is made outside the European Union. In general, your Data is not disclosed to persons outside the OXYCAR organisation and in particular to third parties.

## 3. What data is collected and how?

OXYCAR collects:

### 2.1. The data provided by users to OXYCAR, for example when creating an account :

- **User profile**: we collect data when users create or update their OXYCAR account. This may include their name, e-mail address, telephone number, login ID and password, address, profile photo, payment or banking information (including associated payment verification information), as well as national identity documents including the number and visual of the driving licence as well as the user's date of birth, signature and photo. This data also includes vehicle and driver insurance information. [JA1]
- **Content provided by the user**: we collect the data provided by users when they contact OXYCAR customer support, rate other users or attribute a compliment to them, or contact OXYCAR in any way. The data collected may include comments, photos or any other recording provided by users.

### 2.2. Data created during the use of our services, such as location, application use and device data :

- **Location Data**: We collect accurate or approximate location data from a user's mobile device if they have authorised us to do so. For passengers, OXYCAR collects this data when the OXYCAR application is running in the foreground. Location data collected from a driver during a race will be associated with the passenger's account, even if the passenger has not authorized the collection of location data from his or her device, including for the purposes of receipt creation, customer support, detection of fraudulent activity, insurance and dispute resolution.
- **Transaction Data**: We collect transaction data associated with the use of our services, including the type of service ordered or provided, order details, time and date of service performance, amount charged, distance travelled and method of payment.

- **Usage data:** we collect data on users' interaction with our services. This includes data such as access dates and times, application features or pages used, application crashes and other system-related activities, browser type, and third-party websites or services used prior to interacting with our services. In some cases, we collect this data through the use of cookies, web beacons, tags, and similar tracking technologies that create and maintain unique identifiers.
- **Communication data:** we enable users to communicate with each other and with OXYCAR in mobile applications and on OXYCAR's websites. For example, we allow drivers and their passengers to call each other, exchange SMS or files (usually without communicating their phone number). To provide this service, OXYCAR receives certain data concerning calls, SMS or other communications, including the date, time and content of the communications. OXYCAR may also use this data to provide assistance to the customer (including to resolve disputes between users), to ensure the safety and security of our services, to improve our products and services, and to carry out analyses.

## 4. Why is your personal data collected and processed by OXYCAR?

OXYCAR collects and uses data for :

### 1. Use of the platform

We use the data collected to provide, customize, maintain and improve our products and services.

This includes the use of the data for the following purposes:

- Create and update user accounts
- Check the identity of drivers and passengers
- Enabling the provision of transport services
- Provide payment functionality, process payments or facilitate payments for our services ;
- Follow and share the evolution of the races
- Perform the internal operations necessary to provide our services, including resolving software bugs and operational issues, conducting data analysis, testing and research, and monitoring and analysing business and usage trends.

### 2. Ensuring safety and security

We use personal data to ensure the safety, security and integrity of our services, and to similarly protect our users. These include :

- The selection of passengers and drivers before allowing them to use our services
- The use of device, location, profile and usage data and other information to prevent, detect and combat fraudulent or dangerous activity.

### 3. Managing requests

OXYCAR uses the information collected (including recordings of calls made to customer support for which the user has been notified and has given his consent) in order to offer customer support, including for :

- Send questions to the right customer support advisor
- Studying and dealing with user problems
- Monitor and improve the quality and processes of our customer support.

#### **4. Propose an improvement of our services**

We may use the data collected for testing, research, analysis, product development and machine learning purposes to improve the user experience. This allows us to enhance the safety and security of our services, to improve our ability to prevent the use of our services for illegal or improper purposes, and to develop new features and products.

#### **5. Carry out a marketing activity**

OXYCAR may use the data collected to promote its services to users, for example, to send them communications regarding OXYCAR services, features, promotions, competitions, studies, surveys, news, updates and events.

#### **6. Communicating our developments**

OXYCAR may use the data collected to create receipts and send them to users; inform them of changes to our general conditions, services or policies.

#### **7. Ensuring automated decision making**

We use personal data to make automated decisions regarding the use of our services. These include :

- The operation of dynamic pricing, which determines the price of a trip between a driver and a passenger according to constantly changing factors, such as estimated time and distance, the planned route, traffic estimates, etc.
- Connecting drivers and passengers ordering services. These contacts can be established according to availability, proximity and other factors.
- The deactivation of the accounts of users who have engaged in fraudulent or dangerous activities for OXYCAR, its users and third parties. In certain cases, a user's behaviour may result in the automatic deactivation of his account.

OXYCAR does not sell or share users' personal data with third parties for direct marketing purposes, except with the users' consent.

## **5. How do we justify data processing?**

The legal basis for the processing of your data may be, depending on the context in which they are collected:

- Your consent (e.g. for the purposes of managing our personalised commercial offers, managing your browsing via cookies)
- The performance of a contract or the need to use the platform (e.g. managing your access to your customer account, processing and tracking your orders)

- A legal obligation where processing is required by law (e.g. keeping purchase invoices)
- Our legitimate interest: to improve our products and services, prevent fraud, secure our tools or personalise our communications.

## 6. To whom do we disclose your data?

As your data is strictly confidential, it will not be communicated to third parties, except in the case of express agreement obtained via the parameters of your account.

Your personal data may be used to enrich our databases. They may be passed on to third parties after being anonymised and exclusively for statistical purposes.

We may, with your prior and express consent, make certain personal data available to strategic partners working with us, for the provision of products and services or to help us market our products to customers.

On the basis of legal obligations, your personal data may be disclosed pursuant to a law, a regulation or a decision of a competent regulatory or judicial authority.

## 7. How is the collaborations with the Provider organized?

In order to facilitate the use of OXYCAR services and to realize implementations of its services, has developed a special integration with Microsoft Teams and Outlook.

In case the Partner Company wishes to deploy this implementation to its employees, OXYCAR integrates automatically with the Microsoft Teams and Outlook software of the Partner Company at the time of its installation. The User can access the OXYCAR functionality via the dedicated tabs on these two applications.

We draw your attention to the fact that the processing of the User's personal data by Microsoft, in the context of this use, is governed by a contract established between Microsoft and the Third Party Company.

Microsoft processes the User's personal data to make the functionality available to the User and to OXYCAR and for the legitimate business operations of Microsoft in connection with the provision of the functionality.

In this case, if you decide to allow a Partner to access some of your information, including your Personal Data, through connection services made available by that Partner, their privacy policy is totally opposable to you. OXYCAR has no control over the collection or processing of your data implemented by this Partner on their own platform or computer solutions.

For all information, the Microsoft privacy statement is available at the following link: <https://privacy.microsoft.com/fr-fr/privacystatement>

## 8. How long is your data kept by OXYCAR?

In addition to providing you with the best possible services, we believe that you should receive personalised treatment and excellent customer service.

For the purposes of these services, we may keep your Data in our files for a maximum period of 2 years. Beyond this period, they will be anonymised and kept exclusively for statistical purposes and will not be used for any other purpose whatsoever.

OXYCAR keeps the user's profile, transaction data and any other data for as long as the OXYCAR account is used.

Data purging means are put in place in order to provide for the effective deletion of data as soon as the retention or archiving period necessary to achieve the determined or imposed purposes is reached. In accordance with law n°78-17 of 6 January 1978 relating to information technology, files and liberties, you also have the right to delete your data, which you can exercise at any time by contacting the Publisher.

Users can request the deletion of their account at any time via a simple request sent to [support@oxycar.com](mailto:support@oxycar.com) (originating from the same email used to create the account in question). [Cb2]

For security reasons, if you have not authenticated yourself on the Site for a period of two years, you will receive an e-mail inviting you to connect as soon as possible, otherwise your data will be deleted from our databases.

However, OXYCAR may retain certain information for safety, security and prevention of fraudulent activities. For example, if OXYCAR deactivates a user's account because the user is behaving dangerously or has been involved in security incidents, OXYCAR may keep certain information about this account to prevent the user from opening a new account at a later date.

## 9. What are your rights?

You may have the following rights under the applicable laws and exercise these rights as set out in point 10:

- **A right of access and information:** you have the right to be informed, in a concise, transparent, comprehensible and easily accessible manner, of how your Data is processed. You also have the right to obtain (i) confirmation as to whether or not Data concerning you are being processed and, if so, (ii) access to and a copy of such Data.
- **A right of rectification:** you have the right to obtain the rectification of your Data. You also have the right to obtain the completion of incomplete Data.
- **A right of deletion:** in certain cases, you have the right to obtain the deletion of your Data. However, this right is not absolute and OXYCAR may have legal and legitimate reasons to keep these Data.
- **A right to limitation of processing:** in certain cases, you have the right to obtain limitation of the processing of your Data.
- **A right to data portability:** you have the right to receive the Data that you have provided to OXYCAR, in a structured, commonly used and machine-readable format, and you have the right to transmit this Data to another data controller without OXYCAR obstructing this. This right is applicable only when the processing of your Data is based on your consent or on a contract and when this processing is carried out using automated processes.

- **A right to object to the processing:** you have the right to object to the processing of your Data when such processing is based on OXYCAR's legitimate interest. OXYCAR may, however, invoke legitimate and compelling reasons for further processing. You also have the right to object at any time to the processing of your Data for marketing purposes.

You also have the right to lodge a complaint with a competent supervisory authority concerning the respect of your rights referred to above using the following contact details:

- By post by writing to CNIL - Service des plaintes - 3 Place de Fontenoy - TSA 80715 - 75334 PARIS CEDEX 07
- On the CNIL website <https://www.cnil.fr/>
- By telephone: 01.53.73.22.22

## 10. Which cookies are used by OXYCAR and how can you oppose their use?

Cookies are small text files that are automatically saved in your browser when you visit our Platform.

When you use the OXYCAR Platform, we send one or more cookies to your device. We use two types of cookies: **session cookies and permanent cookies**.

Session cookies are essential for browsing our Platform and providing the services you request from us, in particular to enable the carpooling process to run smoothly. This cookie disappears once the browser is closed, so it cannot be inactivated.

Permanent cookies, which are not essential for navigation but which can, for example, facilitate your searches and optimise your experience as a user. This persistent cookie remains after the browser is closed and can be reused by the browser during other visits to our Platform. It is possible that your web browser offers you options for using cookies. Please note that if you delete, or choose not to accept, cookies, you may not be able to fully use the functionalities of the services offered via the OXYCAR Platform.

In accordance with the legal provisions, your consent to the collection of cookies is valid for 13 months.

We use cookies and automatically collected information to :

- Personalise our Platform and the services provided through it, for example by storing your Data so that you do not have to re-enter it when you use, or the next time you use, our Platform and the services provided through it;
- Provide personalised advertising, content and information, adapted to your profile;
- To monitor and analyse the effectiveness of our Platform and the services provided via our Platform ;
- Check the website's traffic statistics, such as the total number of visitors and pages viewed;
- ... [Cb3]

We may also collect your shortened IP address in a non-readable form that does not allow us to identify you directly.

Depending on your local version of the Platform, by following Cookie Settings you will find the specific parameters to be selected if you do not wish OXYCAR to use all or any of the aforementioned cookies.

[Cb4]

You can also deactivate the installation of "cookies" by configuring your browser accordingly.

To set cookies, follow these instructions:

For Mozilla Firefox: Select the "Tools" menu, then "Options". Click on the "Privacy" icon, find the "Cookies" menu and choose the desired options.

For Microsoft Internet Explorer 6.0 and later: Select the "Tools" menu, then "Internet Options". Click on the "Privacy" tab and use the slider to select the desired level.

For Safari: From the Safari menu, select "Preferences", then click on "Security" and select the desired options.

For Google Chrome: Select the Chrome menu, then choose "Settings" and click "View advanced settings". In the "Privacy" section, choose "Site Settings"; then in the "Cookies" section, select your options.

Please note that restricting cookies may impact your user experience and prevent you from using certain parts of our Platform or services. [JA5]

## 11. How do you address your privacy requests to OXYCAR?

To exercise your rights, please send your request to our Customer Service as indicated below, specifying the following information: surname, first name, e-mail address and any other information necessary to confirm your identity so that we can process your request (e.g. your postal address).

If you have any questions or comments about this Privacy Policy or the way OXYCAR collects and uses your Data, you can also contact :

- **By post:** OXYCAR, located at 1, Rue Gambirinus 67190 Mutzig, for the attention of the Data Protection Officer.
- **By email:** support@oxycar.com

You may also contact Customer Service if you wish to exercise your rights as a data subject to personal data processing or if you have other questions about this Personal Data Policy.

## 12. Changes to the TOS and Privacy Policy

This Personal Data Policy was last updated in April 2020. As changes may be made to this Privacy Policy, we invite you to regularly consult the "Personal Data" section of our website.