

## **Data Protection Statement of Neomir GmbH Version effective as of 18.07.2024**

With this Data Protection Statement, we, Neomir GmbH, Schlossberg 3c, 6343 Risch, Switzerland (hereinafter referred to as Neomir, we, or us), describe how we collect and further process personal data. This Data Protection Statement is not necessarily a comprehensive description of our data processing. It is possible that other data protection statements, such as our Terms of Service, may apply in specific circumstances.

The term "personal data" in this Data Protection Statement means any information that identifies or could reasonably be used to identify any person.

If you provide us with personal data of other persons (such as family members, work colleagues), please ensure that the respective persons are aware of this Data Protection Statement and that you are authorized to provide us with their data, ensuring that such personal data is accurate.

Parts of this policy are divided into two types of entities:

- "Customers and/or Partners" are our clients or partners who work with us as a company to fulfill or provide a service. (For example, a Customer might be a company, research institute, or private researcher; a Partner might be an Advertising Agency or a DSP).
- "Users" are the people who interact with our creatives (similar to ads) through the digital advertising channel or other web platforms.

This Privacy Notice is aligned with the EU General Data Protection Regulation (GDPR), the Swiss Data Protection Act (DPA), and the revised Swiss Data Protection Act (revDPA). However, the application of these laws depends on each individual case.

### **1. Controller**

The "controller" of data processing, as described in this Data Protection Statement (i.e., the responsible person), is Jonas Hauswurz, (Neomir GmbH, Schlossberg 3c, 6343 Risch, Switzerland, info@neomir.com). You can notify us of any data protection-related concerns using the following contact details: Neomir GmbH, Schlossberg 3c, 6343 Risch, Switzerland, E-mail: info@neomir.com.

Our representative in the EEA according to Art. 27 GDPR (if required) is: Jonas Hauswurz, (Neomir GmbH, Schlossberg 3c, 6343 Risch, Switzerland, info@neomir.com)

### **2. Collection and Processing of Personal Data**

#### **For our Customers and/or Partners:**

We primarily process personal data that we obtain from our clients and other business partners, as well as other individuals, in the context of our business relationships with them.

To the extent permitted, we obtain certain personal data from publicly accessible sources (e.g., debt registers, land registries, commercial registers, press, internet) or we may receive such information from affiliated companies of Neomir, from authorities, or other third parties (such as advertising networks, Demand Side Providers (DSPs), or advertisement exchanges). Apart from data you provide to us directly, the categories of data we receive about you from third parties include, but are not limited to, information from public registers, data received in connection with administrative or court proceedings, information in connection with your professional role and activities (e.g., to conclude and carry out contracts with your employer), information about

you in correspondence and discussions with third parties, credit rating information (if we conduct business activities with you personally), information about you provided to us by individuals associated with you (family, consultants, legal representatives, etc.) to conclude or process contracts with you or with your involvement (e.g., references, your delivery address, powers of attorney), information regarding legal regulations such as anti-money laundering and export restrictions, bank details, information regarding insurances, our distributors and other business partners for the purpose of ordering or delivering services to you or by you (e.g., payments made, previous purchases), information about you found in the media or internet (as indicated in specific cases, e.g., in connection with job applications, media reviews, marketing/sales, etc.), your address and any interests and other socio-demographic data (for marketing purposes), data in connection with your use of our websites (e.g., IP address, MAC address of your smartphone or computers, information regarding your device and settings, cookies, date and time of your visit, sites and content retrieved, applications used, referring website, localization data).

#### **For our Users:**

Users in our context are the individuals interacting with our creatives that are served to them through digital advertising channels.

Our service uses the digital advertising market to distribute small tasks via “creatives” that aim to collect information that is not related to users. (e.g., we ask users where certain objects in an image are located or whether a piece of text seems natural to them). This information is then aggregated, analyzed, and passed on to our clients. This information intentionally does not contain any personal information such as name, gender, email address, or other information that would make it possible to connect the data with any real-life person.

Additionally, to data gathered solely for the purpose of processing our customers' data, we also collect anonymous identifiers to target tasks to users to ensure quality. This way, we can give users the same or similar tasks if they solve them well.

For this purpose, we may process such data provided by the macros our advertising partner/DSP offers, such as: User ID, IP address, user agent, geolocation. This data may constitute personal data.

### **3. Purpose of Data Processing and Legal Grounds**

#### **For our Customers and/or Partners**

We primarily use collected data to conclude and process contracts with our clients and business partners, particularly in connection with processing and/or annotating datasets for our clients and the procurement of products and services from our suppliers and subcontractors, as well as to comply with our domestic and foreign legal obligations. You may be affected by our data processing in your capacity as an employee of such a client or business partner.

In addition, in line with applicable law and where appropriate, we may process your personal data and personal data of third parties for the following purposes, which are in our (or, as the case may be, any third parties') legitimate interest, such as:

- Providing and developing our products, services, and websites, apps, and other platforms on which we are active;
- Communication with third parties and processing of their requests (e.g., job applications, media inquiries);

- Review and optimization of procedures regarding needs assessment for the purpose of direct customer approach as well as obtaining personal data from publicly accessible sources for customer acquisition;
- Advertisement and marketing (including organizing events), provided that you have not objected to the use of your data for this purpose (if you are part of our customer base and you receive our advertisement, you may object at any time, and we will place you on a blacklist against further advertising mailings);
- Market and opinion research, media surveillance;
- Asserting legal claims and defense in legal disputes and official proceedings;
- Prevention and investigation of criminal offenses and other misconduct (e.g., conducting internal investigations, data analysis to combat fraud);
- Ensuring our operation, including our IT, our websites, apps, and other appliances;
- Acquisition and sale of business divisions, companies, or parts of companies, and other corporate transactions and the transfer of personal data related thereto as well as measures for business management and compliance with legal and regulatory obligations as well as internal regulations of Neomir.

If you have given us your consent to process your personal data for certain purposes (e.g., when registering to receive newsletters or carrying out a background check), we will process your personal data within the scope of and based on this consent, unless we have another legal basis, provided that we require one. Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal.

#### **For our Users:**

We primarily use collected data to conclude and process contracts with our clients and business partners, particularly in connection with processing and/or annotating datasets for our clients and the procurement of products and services from our suppliers and subcontractors, as well as to comply with our domestic and foreign legal obligations. You may be affected by our data processing.

#### **4. Cookies, Tracking, and Other Techniques Regarding the Use of our Website or Creatives**

At the moment, we do not use cookies or other tracking techniques. The terms below might be applicable in the future:

#### **For our Clients, Partners, and Website Visitors:**

We typically use "cookies" and similar techniques on our websites, which allow for the identification of your browser or device. A cookie is a small text file that is sent to your computer and automatically saved by the web browser on your computer or mobile device when you visit our website. If you revisit our website, we may recognize you, even if we do not know your identity. Besides cookies that are only used during a session and deleted after your visit to the website ("session cookies"), we may use cookies to save user configurations and other information for a certain time period (e.g., two years) ("permanent cookies"). Notwithstanding the foregoing, you may configure your browser settings in a way that it rejects cookies, only saves them for one session, or deletes them prematurely. Most browsers are preset to accept cookies. We use permanent cookies for the purpose of saving user configurations (e.g.,

language, automated log in), understanding how you use our services and content, and enabling us to show you customized offers and advertisements (which may also happen on websites of other companies; should your identity be known to us, such companies will not learn your identity from us; they will only know that the same user is visiting their website who has previously visited a certain website). Certain cookies are sent to you from us, others from business partners with whom we collaborate. If you block cookies, it is possible that certain functions (such as language settings, shopping basket, ordering processes) will no longer be available to you.

By using our websites and consenting to the receipt of newsletters and other marketing e-mails, you agree to our use of such techniques. If you object, you must configure your browser or e-mail program accordingly.

We may use Google Analytics or similar services on our website. These are services provided by third parties, which may be located in any country worldwide (in the case of Google Analytics, Google Ireland Ltd. (located in Ireland), Google Ireland relies on Google LLC (located in the United States) as its sub-processor (both «Google»), [www.google.com](http://www.google.com)) and which allow us to measure and evaluate the use of our website (on an anonymized basis). For this purpose, permanent cookies are used, which are set by the service provider. We have configured the service so that the IP addresses of visitors are truncated by Google in Europe before forwarding them to the United States and then cannot be traced back. We have turned off the «Data sharing» option and the «Signals» option. Although we can assume that the information we share with Google is not personal data for Google, it may be possible that Google may be able to draw conclusions about the identity of visitors based on the data collected, create personal profiles, and link this data with the Google accounts of these individuals for its own purposes. If you have registered with the service provider, the service provider will also know your identity. In this case, the processing of your personal data by the service provider will be conducted in accordance with its data protection regulations. The service provider only provides us with data on the use of the respective website (but not any personal information about you).

#### **Plugins:**

In addition, we use plug-ins from social networks such as Facebook, Twitter, YouTube, Pinterest, or Instagram on our websites. This is visible to you (typically based on the respective symbols). We have configured these elements to be disabled by default. If you activate them (by clicking on them), the operators of the respective social networks may record that you are on our website and where exactly on our website you are and may use this information for their own purposes. This processing of your personal data lies in the responsibility of the respective operator and occurs according to its data protection regulations. We do not receive any information about you from the respective operator.

### **5. Data Transfer and Transfer of Data Abroad**

In the context of our business activities and in line with the purposes of the data processing set out in Section 3, we may transfer data to third parties, insofar as such a transfer is permitted and we deem it appropriate, for them to process data for us or, as the case may be, for their own purposes. In particular, the following categories of recipients may be concerned:

#### **For our Clients and Partners:**

- Our service providers (externally, such as cloud storage providers), including processors (such as IT providers);

- Dealers, suppliers, subcontractors, and other business partners;
- Clients;
- Domestic and foreign authorities or courts;
- Competitors, industry organizations, associations, organizations, and other bodies;
- Acquirers or parties interested in the acquisition of business divisions or companies;
- Other parties in possible or pending legal proceedings;

**For our Users:**

- Our service providers (externally, such as cloud storage providers), including processors (such as IT providers);
- Dealers, suppliers, subcontractors, and other business partners;
- Clients;
- Acquirers or parties interested in the acquisition of business divisions or companies.

**Together Recipients.**

Certain Recipients may be located in Switzerland, but they may be located in any country worldwide. In particular, you must anticipate your data to be transmitted to any country in which Neomir is represented by affiliates, branches, or other offices, as well as to other countries in Europe and the USA where our service providers are located (such as Microsoft, Amazon, Google).

If a recipient is located in a country without adequate statutory data protection, we require the recipient to undertake to comply with data protection (for this purpose, we use the revised European Commission’s standard contractual clauses, which can be accessed here: [Link]), unless the recipient is subject to a legally accepted set of rules to ensure data protection and unless we cannot rely on an exception. An exception may apply, for example, in case of legal proceedings abroad, but also in cases of overriding public interest or if the performance of a contract requires disclosure if you have consented or if data has been made available generally by you and you have not objected to the processing.

**6. Retention Periods for your Personal Data**

We process and retain your personal data as long as required for the performance of our contractual obligations and compliance with legal obligations or other purposes pursued with the processing, i.e., for the duration of the entire business relationship (from the initiation, during the performance of the contract until it is terminated) as well as beyond this duration in accordance with legal retention and documentation obligations. Personal data may be retained for the period during which claims can be asserted against our company or insofar as we are otherwise legally obliged to do so or if legitimate business interests require further retention (e.g., for evidence and documentation purposes). As soon as your personal data is no longer required for the above-mentioned purposes, it will be deleted or anonymized, to the extent possible. In general, shorter retention periods of no more than twelve months apply to operational data (e.g., system logs).

**7. Data Security**

We have taken appropriate technical and organizational security measures to protect your personal data from unauthorized access and misuse, such as internal policies, IT and network security solutions, access controls and restrictions, encryption of data carriers and transmissions, pseudonymization.

## **8. Obligation to Provide Personal Data to Us**

### **For our Customers and/or Partners:**

In the context of our business relationship, you must provide us with any personal data necessary for the conclusion and performance of a business relationship and the performance of our contractual obligations (as a rule, there is no statutory requirement to provide us with data). Without this information, we will usually not be able to enter into or carry out a contract with you (or the entity or person you represent). In addition, the website cannot be used unless certain information is disclosed to enable data traffic (e.g., IP address).

## **9. Your Rights**

In accordance with and as far as provided by applicable law (as is the case where the GDPR is applicable), you have the right to access, rectify, and erase your personal data, the right to restrict processing or to object to our data processing, in particular for direct marketing purposes, for profiling carried out for direct marketing purposes and for other legitimate interests in processing, in addition to the right to receive certain personal data for transfer to another controller (data portability). Please note, however, that we reserve the right to enforce statutory restrictions on our part, for example, if we are obliged to retain or process certain data, have an overriding interest (insofar as we may invoke such interests), or need the data to assert claims. If exercising certain rights will incur costs to you, we will notify you thereof in advance. We have already informed you of the possibility to withdraw consent in Section 3 above. Please further note that the exercise of these rights may conflict with your contractual obligations and this may result in consequences such as premature contract termination or involve costs. If this is the case, we will inform you in advance unless it has already been contractually agreed upon.

In general, exercising these rights requires that you are able to prove your identity (e.g., by a copy of identification documents where your identity is not evident otherwise or can be verified in another way). To assert these rights, please contact us at the addresses provided in Section 1 above.

In addition, every data subject has the right to enforce his/her rights in court or to lodge a complaint with the competent data protection authority. The competent data protection authority of Switzerland is the Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

## **10. Amendments to this Data Protection Statement**

We may amend this Data Protection Statement at any time without prior notice. The current version published on our website shall apply. If the Data Protection Statement is part of an agreement with you, we will notify you by e-mail or other appropriate means in case of an amendment.