

PRIVACY POLICY



GENERAL PROVISIONS

This **Privacy Policy** contains information about Processing and protection of Personal Data referred to users of <https://smarte.rs> with the purpose of informing the Data Subjects, complying with the rules of Brazilian General Data Protection Law about access and transparency, and to clarify the purpose of collection and the Data Subject's guaranteed rights.

The Policy is applicable to **all users and visitors of website** owned by SMARTERS SERVIÇOS DE INTERNET LTDA. duly registered with the tax code (CNPJ) n. 20.539.568/0001-92, with head office in Brazil, city and State of São Paulo, at Rua dos Caetés, 541, Perdizes, CEP 05016-081 ("smarters").

To guarantee the rights of Data Subjects, the protection and the privacy of Personal Data, this document is constantly reviewed and may be updated, so the Data Subject is invited to verify it periodically.



DEFINITIONS

LGPD = Brazilian General Data Protection Law, n. 13.709/18

Personal Data = information relating to the identified or identifiable natural person

Sensitive Personal Data = Personal Data when referred to racial or ethnic origin, religious conviction, political opinion, filiation on union or religious', philosophical or political organization, relating to health or sex life and orientation, and genetic or biometric data, when linked to an individual

Data Subject = individual to whom the Personal Data object of Processing refers to

Processing = any operation or activity with Personal Data, such as collection, production, classification, use, consultation, reproduction, disclosure by transmission, distribution, treatment, storage, erasure, qualification or any information control, modification, transfer, difusion or extraction, operated by any Processing Agent.

Processing Agent = individual or legal person who performs the Data Processing with economic purposes, which can be qualified as controller (decision maker about Personal Data) or as operator (Processing the Personal Data on behalf of and based on instruction of controller)

Consent = freely given, informed and unambiguous indication of Data Subject's appointing the agree wishes by which the Data Subject agrees to the processing of their Personal Data;

DPO = Data Protection Officer, person designated by the Processing Agent to act as a communication link between it, the Data Subject and National Data Protection Authority (ANPD)



PROCESSING OF PERSONAL DATA OR INFORMATION

When you access smarter's website, some information is collected by measuring tools and access interaction indicators. This information is based on generic data and system-generated metrics that do not identify the visitor (such as IP, which sections are visited and where and how is the interaction on the website) and therefore **are not considered Personal Data**.

If the visitor provides **Personal Data** through one of the channels indicated on the website, this data will be Processed in accordance with the **purpose indicated on that specific page**.

On the page <https://smarte.rs/#leads>, for example, if the visitor wishes to inform its email address on "leave your e-mail" box, the purpose will be the call by smarter's team to offer lead nurturing services.

Depending on the project's objectives, different skills can be aggregated to the agent's mission, like lead score measure and redirection to a brand representative.

👉 Leave your e-mail and we'll get in touch (or say hello@smarte.rs).

The Processing of Personal Data by smarter's will be conducted in accordance with the **legal basis** provided by LGPD (articles 7 and 11). Thus, only if other Legal Basis are not applicable, the Data Subject's Consent will be requested, informing the purpose and limits of the Processing, prioritizing the **privacy duty**.

Personal Data may be Processed for the **necessary period** to fulfill the purposes set out in this document or on the website, in accordance with the provisions of art. 15, item I of LGPD.

Also, Personal Data may be **deleted or anonymized** by Data Subject's request, except in cases that law offers another legal basis for Processing, for example, when the applicable legal basis is compliance with legal or regulatory obligation.



SECURITY

smarter's **will implement and adhere technical and administrative measures** to protect Personal Data from unauthorized access or any other possibility of a security incident, such as destruction, loss, damage, or unauthorized disclosure, and undertakes to notify the Data Subject in the event of any security breach of its Personal Data that may cause risk or material damage to its rights.

Personal Data will be Processed as confidential and according to lawfull limits. If smarter's is required by law, or judicial or administrative enforcement to disclose it, however, Personal Data may be disclosed, always limited to the extent requested by that authority.

In addition, Personal Data may be **transferred, stored and processed with service providers located in other countries**, such as cloud services. In these cases, smarter's will use reasonable business efforts to provide the appropriate security to ensure that Personal Data has the same protection level as in Brazil.



COOKIES OR NAVIGATION DATA

Cookies refer to text files sent by the platform to user's and visitor's computers that are stored there, containing **information related to browsing on a website, enabling the improvement of the browsing experience**. This data is not used to track users individually or identify them, and is not labeled as Personal Data.

The user and the visitor of website <https://smarte.rs/> declares to know and **agree** that a browsing data collection system can be used through the use of cookies.

A **persistent cookie** remains on user's and visitor's hard drive after the browser is closed, may be used by the browser on subsequent visits to the website, and can be removed following the browser's instructions. Otherwise, the **session cookie** is temporary and disappears after closing the browser. You can redefine your web browser settings to refuse all cookies, however some features of the platform may be not usable if the cookies are disabled

Finally, this data **will not be sold or traded**, under any circumstances.



DATA SUBJECT'S RIGHTS

smarters guarantees the Data Subjects' rights referring to its Personal Data, that are:

- ✓ **Individual freedom and privacy**
- ✓ **Transparent information** about the Processing of own Personal Data, including (i) the purpose; (ii) the form and duration of Processing; (iii) identification of Processing Agents; (iv) shared use; (v) Processing Agents' responsibilities; (vi) your rights; (vii) information about Consent, when it is required – and the consequences of refusal; and (viii) criteria used for Automated Processing decisions
- ✓ Confirmation of the **existence of Processing and access** to Personal Data
- ✓ **Rectification** of incomplete, inaccurate or outdated Personal Data
- ✓ **Pseudonymisation, restriction or erasure** of Personal Data Processed in non-compliance with the LGPD
- ✓ Receive your Personal Data for **portability to another service or product provider**
- ✓ **Withdrawal of Consent** and erasure of Personal Data, when the Processing is based on Consent
- ✓ **Object** to Processing that do not comply with LGPD
- ✓ Not having your Personal Data used for **unlawful or abusive discriminatory purposes**
- ✓ Request **revision of decisions** based only on automated Processing
- ✓ Be **notified** of any **security breach** that may cause risk or relevant damage to personality rights
- ✓ **Claim right** to National Data Authority (ANPD), if the Subject understand that its rights to Personal Data have been violated

To guarantee these rights, smarteres has a Data Protection Committee that works with DPO and can be contacted on privacy@smarte.rs address



RESTRAINTS

- ✘ It is not possible to **claim or order on behalf of another Personal Data Subject** (only with a specific power of attorney for such purpose)
- ✘ It is not possible to **delete Personal Data** if it is necessary for the performance of agreements in force, or if the Processing is based on legal or regulatory obligation - the withdrawal of Consent, for example, may make unfeasible to provide certain service or Processing
- ✘ DPO may **require the confirmation** of some Personal Data from Data Subject, or use a device to confirm the identity of the Data Subject, before disclose any information to prevent the undue Personal Data disclosure
- ✘ **The Data Subject is liable for the accuracy of Personal Data informed and knows that is liable for any inaccuracy, in civil or criminal jurisdiction**



LAW, COURT OF JURISDICTION AND EFFECTIVENESS

This Privacy Policy will be governed and interpreted in accordance with the laws of the Federative Republic of **Brazil** and the **São Paulo** District Court is hereby elected, excluding any other, as privileged as it may be to resolve any disputes arising from it.

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