

Privacy Policy

Last update: March 2020

Article 1. Preamble

To use the Platform (the "**Platform**") and the Services offered by the company Well Play ("**The Company**"), a simplified joint-stock company registered with the Paris RCS under number 848 363 628, having its registered office at 17 rue Henry Monnier - 75009 Paris, acting through its legal representative, Mr. Louis Masurel, as CEO, You are required to provide The Company with Your Personal Data.

By accessing the Platform and using the Services, You acknowledge that you have read and understood the Privacy Policy which is accessible from each page of the Platform and has a link from the GC at the following address: [<https://spliik.com/supports/>].

Article 2. Definitions

The Parties agree and accept that the following terms used with a capital letter, in the singular and/or plural, will have the following meanings:

Assistant: designates any User who assists an Expert in a Tutorial. His/her role is to share his/her knowledge in the Expert's Tutorial. If he/she does not share the Expert's view in the Tutorial, he/she may in turn become an Expert and provide his/her own Tutorial. The Assistant will have free access to the Tutorial, which the Expert of the said Tutorial expressly accepts. (*Examples of an Assistant: peer, advisor, helper, corrector, translator, etc.*)

Collaborator: designates any User that wants to grow by learning and/or making Tutorials with the support of knowledgeable people (Expert, Support and Assistant). The Collaborator follows the content provided by the Expert: he/she will read and use the Tutorial's exercises to study and achieve his/her goals. He/she is the first consumer of the Expert's tutorial. (*Examples of a Collaborator: learner, student, user, customer, etc.*)

General Conditions for Use and Services ("GC"): designate these general conditions of use and sale, namely a contract concluded between The Company and the User.

Personal Data: designates any information collected, used and treated during the Use of the SpliiK Platform and Services as well as the use of SpliiK Social Networks that identifies directly or indirectly a natural person.

Expert: designates any User that designs, publishes and develops the Tutorial as well as exercises on the Platform. An Expert is the Tutorial's "master". (*Examples of an Expert: consultant, trainer, coach, etc.*)

Party(ies): designates the User and The Company, individually or collectively.

Platform: designates the SpliiK Platform that enables Users to carry out step-by-step Tutorials in collaboration with other people online.

Privacy Policy: designates this Privacy Policy which is intended to inform You about The Company's commitments, in particular as a Data Controller, to respect Your Personal Data when using the Platform and Services, as well as SpliiK Social Networks and allow You to exercise the rights conferred on You by Personal Data Regulations.

Profile: designates the personal account created by each User containing the following information: name, first name, job title, a presentation (summary of their qualities, experience, etc.), email address, link to LinkedIn profile, images (avatar, banner illustrating the Profile).

Tutorial: designates the project published by the Expert using the Platform and its support, namely the document (whatever the nature: text, video or other document) and its entire content.

Personal Data Regulations: designates French and European regulations that are applicable to the protection of personal data, in particular: law no. 78-17 dated January 6, 1978 regarding data processing, files and freedoms as amended ("**LIL**"), EU Regulation 2016/679 dated April 27, 2016 and published in the Official Journal of the European Union on May 4, 2016 on the protection of individuals with regard to the processing of personal data and to the free movement of that data, Directive 2002/58 / EC of July 12, 2002 also called the "privacy and electronic communications" directive as amended as well as any other European text that amends or supplements the provisions in force on the date of this Contract and which is applicable to one or the other of the Parties.

Social Networks: designates all websites that allow building a network of friends or professional acquaintances and provides their members with tools and interfaces for interaction, presentation and communication, on which members may publish third-party Content and in particular, without this list being exhaustive, Facebook, Instagram, Twitter, SnapChat, etc.

SpliiK Social Networks: designates all Social Networks managed by The Company and published by the Platform, namely:

- Facebook access at [<https://www.facebook.com/spliiKER/>] ("**Facebook**") or any other URL address;
- LinkedIn access at [<https://www.linkedin.com/company/spliiK/>] ("**LinkedIn**") or any other URL address;
- Twitter access at [<https://twitter.com/SpliiKP>] ("**Twitter**") or any other URL address;
- YouTube access at [<https://www.youtube.com/channel/UC98pLxgFpRtQtGVtXRhcFRw/>] ("**YouTube**") or any other URL address;
- Instagram access at

[<https://www.instagram.com/spliiKplateforme/>] ("**Instagram**") or any other URL address.

Data Controller: designates the physical or legal person(s) who decide(s) the "purposes" and "means" of processing (Art. 3, 1 of the LIL and Art. 4, 7 of the GDPR).

Under article 26.1 of the GDPR, the concept of Joint Data Controller is applicable "*when two or more data controllers jointly determine the purposes and means of the processing*".

Depending on the purpose, The Company is considered a Data Controller or Joint Data Controller with the SpliiK Social Networks.

Services: designates all functions and services available to Users via the Platform.

Support: designates any User who helps a Collaborator progress in the Tutorial. Support will have free access to the Tutorial, which the Expert of the said Tutorial expressly accepts. (*Examples of Support: friend, colleague, manager, peer, Expert, Assistant, etc.*)

User: designates any physical person older than eighteen (18) years old or emancipated at sixteen (16) years old who, after having read and accepted the GC, uses the Platform and Services. The User can be an Expert, Assistant, Support or Collaborator.

You/Your: designates you as a User.

Article 3. What is Personal Data?

Personal Data is any information from which a physical person can be directly or indirectly identified, in particular an identifier such as a name, a first name or, an identification number, or one or more specific elements referring to their physical, physiological, genetic, psychic, economic, cultural or social identity.

Article 4. What is a Privacy Policy for?

The purpose of the Privacy Policy is to define The Company's commitments according its Purposes, in particular as a Data Controller, with regard to the respect of Your Personal Data collected and processed when using the Platform, SpliiK Services and Social Networks.

Please read carefully and understand the Privacy Policy.

Article 5. Who is involved in the collection of Personal Data?

The Company is responsible for processing the Personal Data collected and processed during the creation of a User Profile as well as during use of the Platform.

Article 6. What Personal Data does The Company collect and process?

As a Data Controller, The Company is likely to collect and process the following Personal Data:

- Your name(s) and first name(s);
- Your personal contact information: email address;
- Your photo;

- Your user name for connection to your Profile;
- Your browsing history on the Platform;
- any Personal Data within the content that You share with the Platform (for example, contacts in your network) or that You publish via the Platform (for example, within a Tutorial).

As Joint Processing Managers, The Company and the SpliiK Social Networks also collect the IP address used when You browse the Platform and go to the SpliiK Social Networks, in particular via the tabs present on the Platform.

Article 6. Why is Your Personal Data collected and processed?

When using the Platform and the Services, as well as the SpliiK Social Networks, You are informed that Your Personal Data is collected and processed for the following purposes ("**Purposes**"):

- to create Your Personal Account;
- to allow You to use the Services;
- To send You promotional information and offers, in particular via email, unless You do not consent:
 - either promotional information and offers concerning services similar to those for which You have requested information and which would be provided by The Company;
 - or information and promotional offers relating to the other services offered by The Company and/or its partners, provided that You have expressed your prior consent to receive this type of information by email.
- to improve browsing and use of the Platform;
- to carry out loyalty operations;
- to perform statistics and analysis;
- to manage the SpliiK Social Networks.

Personal Data is used only when it is strictly necessary for the fulfillment of purposes.

Personal Data is not processed for the purposes of meeting a regulatory imperative and is either necessary, depending on the purposes pursued, (i) for the execution of the contract between You and The Company, and for the pursuit of The Company's legitimate interests, the promotion of its activity, or (ii) based on Your prior and express consent when creating Your Profile.

When processing is based on consent, You may withdraw it at any time.

All of the information collected by The Company is necessary to allow You to browse the Platform and benefit from the Services and all actions that may result. Failure to provide this information or inaccuracy of content may result in the suspension of access to the Platform

as well as the non-use or incorrect use of the Services and other resources. Therefore, Personal Data must be sent to Data Controllers, unless indicated as optional.

Article 7. Who will use Your Personal Data?

Information and Personal Data collected and processed by The Company is strictly intended for The Company as well as for its potential subcontractors (including partners and service providers), as well as for SpliiK Social Networks and, finally, legal and/or administrative authorities, if needed.

The Company guarantees that Your Personal Data will not be disclosed to any unauthorized third party without Your consent. The Company will not sell or rent Your Personal Data.

Article 8. How long is Your Personal Data kept?

Your Personal Data is kept for a period not exceeding that which is strictly necessary for the Purposes for which it is collected and in any event is kept according to the following:

- for a maximum of sixty (60) days from the closing of the Profile;
- for a maximum of sixty (60) days from the request from the User to The Company to delete or transfer Personal Data.

The aforementioned period may be extended in the event of express consent or in the event that a longer retention period is authorized or imposed by a legal or regulatory obligation, and in particular in the event of legal proceedings, or if You have exercised for Your account, one of Your rights recognized by the amended LIL and the GDPR (General Data Protection Regulation), according to the below conditions.

At the end of these periods, Personal Data may be subject to further processing for preparation of statistics and research reports, under the condition of anonymization with no exploitation of any kind whatsoever and can be archived securely for the necessary periods of conservation and/or time limits resulting from applicable legal and regulatory provisions.

Article 9. What are Your rights?

You have:

- a **right to access**, i.e. to obtain confirmation from the Data Controllers that Your Personal Data is or is not being processed and, when it is, access to said Personal Data, as well to various information including the purposes for the processing, the category of collected Personal Data, the recipient(s) of Personal Data etc.;
- a **right to rectify**, as soon as possible, Personal Data concerning Yourself or concerning the Tutorials that is inaccurate, incomplete, outdated or ambiguous, or whose collection and processing are prohibited;
- a **right of opposition** to the processing of Personal Data by the Data Controller or to a transfer of Personal Data, unless there are legitimate and compelling reasons which prevail over Your interests;
- a **right to erasure of Personal Data** concerning You for the following reasons:
 - Personal Data is no longer necessary to fulfill the Purposes;

- the consent on which the processing was based has been withdrawn, and there is no other legal ground for the processing of Personal Data;
 - You object to the processing of Personal Data and no overriding interest justifies carrying out the processing;
 - Your Personal Data has been processed illegally;
 - Your Personal Data must be erased in order to comply with the legal obligation to which The Company may be subject;
 - You have the option of activating the accelerated procedure implemented by the French Commission for Data Protection (CNIL) for the exercise of the right to erasure of Personal Data.
- a **right to organize in advance and during Your lifetime** the conditions under which You wish Your Personal Data to be stored and communicated after death;
 - a **right to the portability** and the recovery of Your Personal Data allowing you to receive Your Personal Data provided to The Company in a structured, commonly used and machine-readable format, and to transmit it to another Data Controller, without hindrance from the controller to which the Personal Data was initially provided;
 - a **right not to be the subject of a decision based exclusively on automated processing**, including profiling, producing legal effects concerning him/her or similarly significantly affecting him/her;
 - a **right to lodge a complaint with the CNIL**, if You consider that the processing(s) of Your Personal Data constitutes a violation of Personal Data Regulations.

If You wish to exercise one of the aforementioned rights, You can send Your request to The Company, attaching proof of identity:

- By email to the following address: team@spliiik.com ;
- By postal mail to the address: SAS WELL PLAY, 17 rue Henry Monnier – 75009 Paris.

In the event that one of Your rights is exercised by electronic means, The Company will provide Your Personal Data, if necessary, by electronic means when possible, unless you have specifically requested that it be provided by a different means.

Article 10. How is Your Personal Data protected and secured?

The Company adopts sufficient, adequate and relevant security measures to preserve the security of Your Personal Data and in particular, prevent it from being distorted, damaged, or accessed by unauthorized third parties.

Article 11. What is the minimum age for using the Platform?

Any use of the Platform by a person younger than eighteen (18) years old or under the emancipated age of sixteen (16) is presumed to be under the responsibility of his/her legal representative, namely his/her parent or guardian.

Article 12. How are SpliiK Social Networks managed?

SpliiK is present on Social Networks and the Platform allows direct access to the pages of SpliiK Social Networks.

The Company reminds You that access to SpliiK Social Networks requires You also to accept their own privacy policies, regardless of the Privacy Policy.

Only the information collected from You by The Company when You communicate on SpliiK Social Networks is subject to the Privacy Policy.

For more information about the measures implemented by Social Networks to ensure the protection of Your Personal Data, we invite you to consult their respective privacy policies by clicking on the following links:

- Privacy Policy for Facebook: <https://facebook.com/privacy/explanation>;
- Privacy Policy for LinkedIn: https://www.linkedin.com/legal/privacy-policy? l=en_US;
- Privacy Policy for Twitter: <https://help.twitter.com/en/rules-and-policies/update-privacy-policy>.

The Company also reminds You that the SpliiK Social Networks and their respective functions must not be used in an abusive manner and this in accordance with the CG accessible at this address: [<https://spliik.com/supports/>].

The Company asks You to secure access to Your different accounts, and to choose a different, unique password that contains at least twelve (12) characters of four (4) different types: lowercase, uppercase, numbers and special characters.

In addition, The Company reminds you that it is essential, for the security of your Personal Data, not to save user names and passwords on a computer or smartphone.

Article 13. Does SpliiK compile statistics?

The Company may collect and process Your Personal Data for statistical and analytical purposes to analyze Your visitor rate to the Platform and Your preferences.

Similarly, The Company may collect and process Your IP address for statistical and analytical purposes in order to analyze the visitor rate to SpliiK Social Networks.

These processes are based on The Company's legitimate interest, including the promotion of its activity and the adaptation of its marketing actions.

Therefore, the Platform uses visitor tracking cookies, namely Google Analytics.

A "cookie" is a small computer file intended to collect information from your terminal, whether it is a computer, a mobile phone or a tablet. The Company uses other types of trackers for the same purposes. Hereinafter, all of these files, whatever their nature, will be generically designated as "cookies".

The lifespan of these cookies does not exceed thirteen (13) months.

The Company requires your prior consent to the deposit and/or reading of the information contained in these cookies.

If you do not consent to the use of cookies, You can change Your browser's settings (most

browsers accept cookies by default, but allow them to be disabled).

You can configure your browser software so that cookies are either accepted and automatically saved in Your terminal, or, on the contrary, refused. You can also configure so that the acceptance or rejection of cookies is systematically offered to you.

Any configuration that You may undertake on your browser software may modify your Internet browsing and Your conditions of access to certain services requiring the use of these same cookies.

Configuration is different for each browser. It is usually described in your browser software's help menu. Therefore, The Company recommends that You read this. You will then know how to modify your wishes concerning cookies.

- For Internet Explorer:

<http://windows.microsoft.com/en-us/windows-vista/Block-or-allow-cookies>

- For Safari:

<https://support.apple.com/en-gb/guide/safari/sfri11471/mac>

- For Chrome:

<http://support.google.com/chrome/bin/answer.py?hl=en&hlrm=en&answer=95647>

- For Firefox:

<http://support.mozilla.org/fr/kb/Activer%20et%20d%C3%A9sactiver%20les%20cookies>

- For Opera:

<https://help.opera.com/en/latest/web-preferences/#cookies>

Article 14. Can the Privacy Policy be changed?

The Company reserves the right to modify the Privacy Policy and will inform You in advance by email or by posting on the Platform.

Article 15. What is the applicable law? Which are the competent jurisdictions?

This privacy policy is written in the french language and governed by french law. Any litigation will be brought before the competent french courts.

In case of divergence between the different language versions of these general conditions of use and services, the french version will prevail.