

# POATEK PRIVACY POLICY

Version of: November 2021

POATEK's Privacy Policy ("Policy") has been created to demonstrate the commitment of **PORTO GIMENEZ INFORMATICA LTDA.**, a company registered at the Brazilian Treasury Department National Register of Legal Entities CNPJ/ME no. 05,077,291/0001-30, POATEK USA INC, legal entity registered in Employer Identification Number EIN no. 37-1911829 and POATEK PORTUGAL UNIPessoal LDA, legal entity registered in Companies Identification Number NIPC no. 515 895 008 (here referred to together as "POATEK", "we" or "our") with the security and privacy of the information collected from users, who are the data subjects of their personal data ("Data Subjects", "User" or simply "you").

The Policy clarifies the general conditions for the collection, use, storage and other forms of processing and protecting personal data on our Website [www.poatek.com](http://www.poatek.com) ("Website") in accordance with Brazilian and European legislation currently in force regarding privacy and protection of personal data including, but not limited to, Law no. 12,965 of April 23, 2014 and Ruling no. 8771 of May 11, 2016 ("Brazilian Civil Rights Framework for the Internet"), Law no. 13,709 of August 14, 2018 ("Brazilian General Data Protection Law" or "LGPD") and the European Union General Data Protection Regulation ("General Data Protection Regulation" or "GDPR").

For the purposes of this Policy POATEK is qualified as a Controller company as it stores your personal information and decisions regarding the processing of your personal data collected by us are incumbent upon us. To maintain a direct contact with you a Data Protection Officer has been designated by POATEK to manage a communication channel. If you have any questions regarding the activities of processing personal data under our responsibility or questions and comments regarding this Policy, please send an email to [dpo@poatek.com](mailto:dpo@poatek.com).

You can contact POATEK through our Website, through the email address [hire@poatek.com](mailto:hire@poatek.com) or by calling the telephone number according to your location:

Porto Alegre, Rio Grande do Sul state, Brazil	+55 (51) 3058-6108
São Paulo, São Paulo state, Brazil	+55 (51) 99916-3833

Miami, Florida state, United States of America	+1 (917) 741-3018
Lisbon, Portugal	+1 (917) 741-3018

By using our Site, you freely, informed, unequivocally, expressly, and fully agree to this Policy. We recommend your read it carefully.

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## 1. SCOPE

This Policy applies to all users of the Site. Their personal data is collected whenever they:

- Visit or interact with the POATEK Website;
- Apply for a job position;
- Request our newsletters;
- Contact us through our service channels.

## 2. INFORMATION WE MAY COLLECT

Important: You are not required to provide us with your information, however, without granting certain information when requested, you will not be allowed access to some features. In addition to the data you inform us, whenever you interact with our Site, information will be

collected automatically. Such information is generally not identifiable, however, when combined with other data they generate the ability to associate such information with you, and they shall be treated by POATEK as personal data.

The nature and purpose of the personal data we collect may differ depending on the area of the Site visited.

To the extent permitted by the applicable law, POATEK may process the following personal data you have provided:

- a) **Contact information:** full name, email, phone, and message.
  
- b) **Information for newsletters:** e-mail.
  
- c) **Information for participation in selection processes:** first name, last name, email, title, telephone number, address, educational background, experience, summary of your resume, curriculum, cover letter, if you live in Brazil, if you would be willing to live in Porto Alegre or São Paulo.
  
- d) **Contact information related to POATEK Ventures:** startup name, your full name, email address, telephone number and contact.

As previously informed, POATEK may automatically collect the information listed below, even if you have not actively interacted with us:

**Log data and information from your device:** details about how you have used the Website (which features of our website have been visited, the order in which they have been visited, when they have been visited and which links have been clicked), IP address, dates and times of access, hardware and software information, device information, your device's schedule information, unique identifiers, fault data.

**Cookies and similar technologies:** in accordance with our Cookie Policy.

Please note that the personal data listed above shall be collected by POATEK and further processed only as necessary to achieve the purposes set forth herein.

We do not collect, store or otherwise intentionally process personal data that is excessive or unnecessary for the purpose for which it was collected, as well as data deemed sensitive (those relating to your racial or ethnic origin, religious conviction, political opinion, union membership or organization of religious, philosophical, or political nature, health, or sexual orientation, as well as genetic data) and data on children and adolescents. As a result, we ask that you refrain from sharing such data with us. If we become aware that this data has been collected and inadvertently processed, it shall be deleted from our records.

### **3. LEGAL BASIS FOR PROCESSING PERSONAL DATA**

Classification of the legal basis of the data stored and processed by POATEK listed in Section 2 occurs through analysis of the specific context in which we collect them.

The data processed by POATEK tends to be collected only:

- a) With your consent;
- b) To comply with legal or regulatory obligations;
- c) When the personal data processing is in accordance with POATEK's legitimate interests, always complying with your interests related to data protection or fundamental freedoms and rights. It shall also be necessary to process your data to protect your interests or those of third parties.

### **4. PURPOSE OF DATA COLLECTION**

The collection of information has the sole and exclusive purpose of providing, maintaining, and improving the services provided to offer you a better experience. Therefore, as necessary, the information collected shall be used for the following purposes:

- a) To answer any questions, requests for information about POATEK and Contact Us;
- b) To send our newsletter;
- c) To improve our Website;
- d) To refer to government authorities when the request is made through subpoenas, court orders or other legal processes to establish or exercise our legal rights or protect our property; to defend ourselves against legal claims or as required by law.

## **5. SHARING OF PERSONAL DATA**

When necessary to achieve the purposes described in Section 4, POATEK may share your personal data with third parties listed below, aiming at the correct provision of the services offered, the security of storage of your personal data and a better experience with POATEK. Whenever carried out, data sharing shall be performed within the limits and purposes of our business, in accordance with the purpose of personal data processing and in accordance with what is authorized by applicable law. Therefore, your data can be shared with:

- a) The MailChimp platform for automatic sending of our newsletters;
- b) Website hosting on Amazon Web Services (AWS);
- c) Computer service providers, information technology and service providers focused on ensuring the security of information processed by POATEK;
- d) Dropbox and Sharepoint cloud servers;
- e) Tax authorities and government, police, public and judicial bodies with the purpose of responding to complaints, investigations, legal measures, and legal proceedings, if requested, as well as complying with legal, regulatory and tax obligations.

## **6. RECRUITMENT**

We at POATEK are very pleased with your interest in working with us! When you apply for a job vacancy available on our Website, POATEK shall start processing your personal data, the purpose of which is to find the best job vacancy that fits your profile. The legal basis we use for this purpose is found in article 7, V, of the LGPD and in article 6(1)(b) of the GDPR for the execution of a contract or preliminary procedures related to a contract to which you are a party, upon your request.

POATEK shall process your data made available for this purpose for a period of two years. This way, if we like you but we don't find any vacancy for your profile we shall store your personal data to contact you in the future if a vacancy that you may be able to fit opens.

If it is of interest to you, you may request, at any time, by contacting the DPO, that your personal data be deleted, being aware that it may be impossible for POATEK to continue with any selection process using your resume after the deletion of your information.

At no time during the selection process shall we process personal data considered sensitive or of children under the age of thirteen. Therefore, we ask you to refrain from sharing this data with us.

Have no concerns. The information passed on through the Website shall not be shared with third parties outside POATEK and shall be used solely and exclusively for your progress in our selection process.

We use the Workable platform, which is linked to the Website, to operate our selection process. For more information, visit the Workable Privacy Policy link: [www.workable.com/privacy](http://www.workable.com/privacy).

## **7. RIGHTS OF HOLDERS OF PERSONAL DATA**

In the form of and within the limits of the applicable legislation, you, as holder of personal data, may contact us to exercise your rights to request:

- a) **confirmation** of the existence of your personal data processing;
- b) **access** to your data;
- c) **correction** of your incomplete, inaccurate or outdated data;
- d) **anonymization, blocking or deletion** of your data that are unnecessary, excessive, or processed in breach of the applicable legislation provisions;
- e) **portability** of your data to another service or product provider, subject to commercial and industrial secrets;
- f) **elimination** of your personal data, except in the cases provided for in the applicable legislation, for the exercise of rights pertaining to POATEK and for the fulfillment of legal requirements;
- g) information about the **public and private entities** with which POATEK has **shared** your data;
- h) **information** about whether you may **not provide consent** and the **consequences** of your denial;
- i) **revocation of your consent**, when you have provided us, safeguarding the public interest that may justify the continuity of processing or the existence of another legal basis that authorizes it and
- j) **opposition** to any personal data processing based on one of the hypotheses in which your consent is waived, provided that the provisions of the applicable legislation have

not been complied with and that the public interest that may justify the continuity of the processing has been safeguarded.

Your request can be made free of charge through the e-mail [dpo@poatek.com](mailto:dpo@poatek.com). We shall analyze your request and deal with it as soon as possible, considering the deadlines and terms provided for in the applicable legislation. If it is not possible to respond immediately to your request, we shall indicate the factual and legal reasons that prevent us.

POATEK is not responsible for the correctness, veracity, authenticity, completeness and updating of the data provided by the Holder.

It is the Holder's sole responsibility to provide only correct, true, authentic, complete, and up-to-date information.

## **8. HOW WE STORE AND PROCESS PERSONAL DATA**

POATEK adopts security, technical and administrative measures to keep all stored data secure by means of internal guidelines, confidentiality clauses and strict access control, with our employees having access to the data strictly necessary to meet specific purposes, as explained in Section 4. Specifically with respect to the data collected through our website, they are stored, processed, and protected according to the best hosting and processing practices.

Even so, the Holder must be aware that no internet security system is guaranteed against unwanted intrusions and POATEK's commitment is limited to the adoption of recommended protection measures in accordance with the current state of the art.

## **9. INTERNATIONAL DATA TRANSFER**

POATEK shall carry out the international transfer of your data to other countries or international bodies only when strictly necessary to achieve the purpose that has given rise to your personal data processing, prioritizing, whenever possible, storage on servers located in the Federative Republic of Brazil. When your personal data is transferred outside Brazil by POATEK we shall take appropriate measures to ensure adequate protection of your personal data in accordance with the requirements of applicable data protection legislation, including by entering into appropriate data transfer agreements with third parties, when necessary.

Therefore, we make you aware that your personal data shall be shared and stored on the following servers located internationally:

<b>YOUR DATA</b>	<b>OBJECTIVE</b>	<b>PLATFORM</b>	<b>LOCATION</b>	<b>PRIVACY POLICY</b>
Email address	Newsletters	MailChimp	United States of America	<a href="http://www.mailchimp.com/legal/privacy/">www.mailchimp.com/legal/privacy/</a>

Your job application information shall be shared with the Workable tool, which has servers located in the United States, the United Kingdom, and the European Union. For more information on Workable's sub-processors and their location, visit: [www.workable.com/subprocessors](http://www.workable.com/subprocessors).

## **10. DATA RETENTION PERIOD**

We store and maintain your information: (i) for the time required by law; (ii) until the end of the personal data processing, as mentioned below; (iii) for the time necessary to preserve POATEK's legitimate interest, as the case may be; (iv) for the time necessary to safeguard the regular exercise of POATEK's rights in judicial, administrative or arbitration proceedings. Thus, we shall process your data, for example, during the applicable statute of limitations or as necessary to comply with legal or regulatory obligations.

Termination of the personal data processing shall occur in the following cases:

- a) When the purpose for which the Holder's personal data were collected is achieved and/or the collected personal data are no longer necessary or relevant to the achievement of such purpose;
- b) When the Holder withdraws their consent or is within their right to request the processing termination and their personal data deletion and does so and
- c) When there is a legal determination in this regard.

Regarding the principle of necessity, some data submitted through the Website may be deleted from our records through routine record keeping. We are under no obligation to store personal data indefinitely and we disclaim any liability arising out of or related to the destruction of such personal data.

Upon termination of your personal data processing, except in the cases established by applicable law or by this Privacy Policy, they shall be deleted from POATEK's database. If



deletion is not possible at first, the data shall be securely stored and isolated from further processing until deletion is possible.

## **11. POLICY DEADLINE AND CHANGES**

Our Website, in all or in each of its tabs and sections, may be unilaterally terminated, suspended, or interrupted by POATEK, at any time and without prior notice, in which case we shall inform you where the information contained therein shall be made available, the access of which is your right in accordance with the legislation in force.

This Privacy Policy may be updated or changed at any time and the changes shall be prominently informed on our Website.

## **12. ADDITIONAL INFORMATION ABOUT GDPR**

If you are under the jurisdiction of the European Union General Data Protection Regulation (“GDPR”) this topic applies to you in addition to the rest of this Privacy Policy.

### **12.1. Legal Basis for the Processing of Your Data in GDPR**

POATEK is the Controller of Personal Data processed under the jurisdiction of the European Union. In this sense your Personal Data are processed only under the circumstances authorized by the GDPR and under the most appropriate legal basis, in accordance with the data processing purpose.

### **12.2. International Data Transfer**

To facilitate our global operations, POATEK may transfer and store your Personal Data in the Federative Republic of Brazil. The law applied in Brazil differs from the data protection laws applicable in your country of residence. Therefore, POATEK adopts measures in accordance with GDPR requirements such as the insertion of standard contractual clauses when applicable.

Our website is hosted by Amazon Web Services (AWS), the server of which is in the city of São Paulo, Brazil, having a high level of security regarding the processing of your personal data. If you wish to obtain information regarding the processing of your data by AWS, please visit the link [www.aws.amazon.com/pt/compliance/brazil-data-privacy/](http://www.aws.amazon.com/pt/compliance/brazil-data-privacy/).

POATEK adopts security, technical and administrative measures to keep all stored data secure by means of internal guidelines, confidentiality clauses and strict access control, with our employees having access to the data strictly necessary to meet specific purposes. Specifically with respect to the data collected through our website, they are stored, processed, and protected according to the best hosting and processing practices.

Even so, the Holder must be aware that no internet security system is guaranteed against unwanted intrusions and POATEK's commitment is limited to the adoption of recommended protection measures in accordance with the current state of the art.

If any information in this topic conflicts with the rest of this Policy, the provisions of this topic shall prevail.

### **13. COMMUNICATION POLICY**

We seek to prevent the sending of unsolicited e-mails by restricting communications with you to matters that are relevant or of particular interest to you.

If you prefer not to receive any more information from us, you can request to unsubscribe through the unsubscribe link contained in the e-mail or in the message received (*opt out*) or request through our website.

You should be aware that many fraudsters try to use reputable brands to obtain personal information such as passwords and financial data. POATEK **SHALL NEVER REQUEST YOUR FINANCIAL DATA VIA E-MAIL OR TELEPHONE CONTACT. IN CASE OF ANY OTHER SUSPICIOUS ATTITUDE, SEND YOUR QUESTION OR ALERT BY E-MAIL TO [dpo@poatek.com](mailto:dpo@poatek.com).**

### **14. LINKS TO OTHER SITES**

Our website may contain links or frames from other websites. These links or frames seek to provide additional benefits to the content and services offered to the User.

We clarify that the inclusion of these links on our website does not mean that POATEK is aware of, agrees with or is responsible for the content of these links and frames. It is important to emphasize that our objective is only to provide links or frames from reputable and trustworthy companies and POATEK is not responsible for the information, products and

services obtained by the User on these websites nor for commercial practices and privacy policies adopted by these companies and POATEK cannot be held liable for any losses and damages, or loss of profits undergone because of the use of such resources.

To the extent that the linked websites are not part of our website, we do not control, recommend, or endorse these websites and their content, products, services, policies, and their privacy practices; we do not have access to their personal data collected and processed by them and their advertising policies, cookies and terms of use. Therefore, we recommend that you carefully read these documents from third-party websites.

By accessing our website and interacting with us you agree and accept the terms set forth herein.