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## IN&MOTION PRIVACY POLICY

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### PREAMBLE

IN&MOTION places great importance on respecting your privacy and protecting your personal data in accordance with European regulations and French laws relating to the protection of personal data.

This Privacy Policy explains how we collect and process your Personal Data.

It concerns:

- Our Customers
- Users of our Products
- Our Partners
- Candidates for a position within In&motion
- Our prospects

We recommend that you read this Privacy Policy carefully as it contains important information about your Personal Data.

The Privacy Policy reflects our current practices and may be modified and updated.

If we make substantial changes to the Privacy Policy, we will inform you by email if possible, otherwise through a notice of amendment at the beginning of this privacy policy. Feel free to contact us if you have any questions or comments about this Privacy Policy (see the **"How to contact us?"** section below).

## 1. DEFINITIONS

"Personal Data" means any information relating to an identified or identifiable natural person.

"Platform(s)" refers to the IN&MOTION website, its applications, or its other digital platforms.

"Privacy Policy" refers to this privacy policy of IN&MOTION, accessible online from the Platforms.

"Product(s)" refers to all goods and services offered by IN&MOTION on its Platforms or through its Partners.

"Candidate(s)" refers to any natural person who applies at IN&MOTION (permanent, fixed-term, temporary, internship, apprenticeship...).

"Client(s)" refers to any natural person who orders Products from IN&MOTION's Platforms.

"Partner(s)" refers to any professional partner, supplier, or authorized distributor of IN&MOTION.

"User(s)" refers to any natural person who uses a Product integrating IN&MOTION's IN&BOX technology.

"Visitor(s)" refers to any natural person who browses IN&MOTION's Platforms.

"GDPR" refers to the General Data Protection Regulation.

## 2. WHO ARE WE?

IN&MOTION is a simplified joint stock company with a capital of 36,291 euros, whose registered office is located at 10 rue de la Lyre, CRAN GEVRIER, 74960 ANNECY, registered in the Annecy Trade and Companies Register under number 805 388 329, with SIRET number 80538832900015 and intra-community VAT number FR 50805388329.

The In&motion Service is operated by Inemotion, Inc. and In&motion S.A.S.

If you use the In&motion Service in the USA, the entity collecting your personal information will be Inemotion, Inc.

If you use the In&motion Service outside the USA, the entity collecting your personal information will be In&Motion S.A.S.

The terms "IN&MOTION", "we", "our" and "us" refer to IN&MOTION as responsible for processing your Personal Data under the conditions detailed in the Privacy Policy, unless otherwise indicated below.

You can find our contact details in the "How to contact us?" section below.

## 3. WHY DO WE USE YOUR PERSONAL DATA?

We detail below the **purposes** for which we need to process your Personal Data.

All these processes respond to several legal bases (article 6 of the GDPR - General Data Protection Regulation):

- Either a need for IN&MOTION to execute the order and delivery of the Products you have paid for, or any other current contract (contract execution);

- Either a legal obligation (e.g., IN&MOTION's obligation to manage its accounting);
- Or a legitimate interest of IN&MOTION for the needs of its commercial activities and improvement of its Products.

If you are not yet a customer of IN&MOTION, your prior consent is requested before receiving our current commercial offers.

### 3.1. You are a Customer or User of IN&MOTION Products

Your Personal Data may be collected and processed for the following purposes:

➤ ***To manage and monitor your contract (purchase and subscription)***

We use your Personal Data to manage and execute your contract as well as to ensure our after-sales services.

In this context, your Personal Data is kept for a duration limited to the duration of your contract with IN&MOTION.

➤ ***For the use, improvement, and optimization of our Products***

In the specific context of using the IN&BOX, performance and geolocation data are collected by your Product to enable its operation. These data are stored locally by your Product and are not accessible by IN&MOTION except in case of synchronization of the Product on your part.

The synchronization of the IN&BOX allows you to benefit from the latest updates of the Product and involves the automatic transfer to IN&MOTION of your Personal Data collected by your Product, including geolocation data, in a pseudonymized form. These data are then accessible to a limited number of professionals within IN&MOTION and are only processed for the legitimate interest of improving and optimizing our Products.

The Personal Data that are transferred to IN&MOTION following synchronization are kept as long as you use the Product.

➤ ***For internal statistical analyses and satisfaction surveys***

As part of quality monitoring of our Products, we carry out statistical analyses from your Personal Data. These analyses help us to improve our offers and respond more personally to your customer requests.

These analyses respond to a legitimate interest pursued by IN&MOTION and are kept up to 2 years after their collection.

In the same objective, satisfaction surveys may be conducted with you. Your Personal Data processed in this context is kept for the duration of these surveys.

➤ ***For the implementation of research and development projects on our Products***

IN&MOTION may undertake research and development projects on its Products, alone or in partnership with third-party organizations.

You may be invited to participate, if you wish, in these research projects after being duly informed of the modalities of realization and processing of the Personal Data necessary for this research and having expressly consented to it.

Your Personal Data processed in this context is kept for the duration of these researches.

- *To implement your GDPR rights*
- *To monitor our accounting and potential disputes*

### **3.2. You are not a Customer, but interested in IN&MOTION Products**

We may be required to collect and process your Personal Data for the following purposes:

- *To send you commercial communications, if you have consented*

We may be required to send you communications about our Products, for commercial prospecting purposes when you have previously consented.

These communications may take the form of an email, postal mail, SMS, or a phone call.

Each time a commercial communication is sent to you, you have the option to choose not to receive any in the future thanks to an unsubscribe link. Moreover, it is possible, at any time, to send us an email to the coordinates mentioned in the "How to contact us?" section below, to ask us to stop sending these commercial prospecting (withdrawal of your consent).

In any case, your Personal Data used in this context cannot be kept for more than 3 years after our last contact with you.

- *For any request for information from IN&MOTION*

We may use your Personal Data, mainly identifying, to respond to your possible requests for information.

The use of your Personal Data will then be strictly limited to the time necessary to respond to your request.

We will not proceed with any processing of your Personal Data that would not be justified.

- *To implement your GDPR rights*

### **3.3. You are a Candidate for a position at IN&MOTION**

Your Personal Data may be collected and processed for the following purposes:

- *To study your application*

The Personal Data you provide to us when applying for a position at IN&MOTION are processed to study your application (pre-contractual measures taken with the aim of entering into an employment contract, temporary, apprenticeship, internship) and constitute our "CV library" in the legitimate interest of our recruitment policy.

The Personal Data you have provided to us in this context is kept until 2 years after the last we had with you as a candidate.

- *To implement your GDPR rights*

### 3.4. You are a Partner of IN&MOTION

Your Personal Data may be collected and processed for the following purposes:

➤ ***To manage and execute your contract:***

We use your Personal Data to manage and execute your contract with IN&MOTION (distribution, service provision, purchase, ...).

In this context, your Personal Data is kept for a limited duration to the duration of your contract with IN&MOTION.

➤ ***For record keeping and internal statistical analyses:***

For legitimate purposes of organizing our activity and managing our contracts, we process your Personal Data to keep our records and conduct internal financial statistical analyses.

These analyses are kept until 2 years after their collection.

In the same objective, satisfaction surveys may be conducted with you. Your Personal Data processed in this context is kept for the duration of these surveys.

➤ ***To implement your GDPR rights***

➤ ***To monitor our accounting and potential disputes***

## 4. WHAT PERSONAL DATA DO WE USE?

We only collect and use the Personal Data that is strictly necessary to pursue the above purposes, according to the category of person concerned you fall under.

### 4.1. You are a Customer or User of IN&MOTION Products

- Identification data (first and last name, email address, telephone number, internal customer identification code, data entered in your user account on the Platforms...),
- Data related to your orders (date and object of orders, postal address, delivery instructions, ...),
- Data related to your payments (bank account or credit card data (number, expiry date, visual cryptogram, which is deleted as soon as the transaction is completed), receipts, transaction number, payment incidents...),
- Data related to the follow-up of your contracts/subscriptions (subscription expiry dates, possible suspension dates, subscribed options, subscriber number, possible payment defaults, possible price reductions granted...),
- Data stored locally by your Product, not accessible by IN&MOTION except in case of synchronization of the Product on your part: performance and geolocation data in the context of the use of your products (geolocation of the product, date and time of activation, speed).

- Data related to the reviews you publish (content of the review, pseudonym used),
- Data related to a request to exercise your rights related to your Personal Data (see the section **"What are my rights and how to exercise them?"** (proof of identity, date, object and content of the request, documents and pieces you communicate).
- Data related to a request for assistance or complaint you make (identification data provided, subject and content of the request, attached file, other Personal Data you voluntarily communicate).

#### **4.2. You are a prospect interested in IN&MOTION Products**

- Identification data (first and last name, capacity in which you interact with us, email/postal address, telephone number),
- Data you provide to receive our commercial communications (email address, consent to the sending of communications),
- Data related to the reviews you publish (content of the review, pseudonym used),
- Data related to a request to exercise your rights related to your Personal Data (see the section **"What are my rights and how to exercise them?"** (proof of identity, date, object and content of the request, documents and pieces you communicate).
- Data related to a contact request you make (identification data provided, subject and content of the request, attached file, other Personal Data you voluntarily communicate).

#### **4.3. You are a Candidate for a job at IN&MOTION**

- Data you provide in support of your application for a job at IN&MOTION (professional contact details, CV, cover letter, letter of recommendation ...).
- Data related to a request to exercise your rights related to your Personal Data (see the section **"What are my rights and how to exercise them?"** (proof of identity, date, object and content of the request, documents and pieces you communicate).

#### **4.4. You are a Partner of IN&MOTION**

- Data related to our interlocutors with you (first and last name, professional postal/email addresses, telephone number, fax, profession, field of activity, functions, position, ...),
- Billing data (bank account, invoices, details of invoices and orders, delivery conditions...).
- Data related to a request to exercise your rights related to your Personal Data (see the section **"What are my rights and how to exercise them?"** (proof of

identity, date, object and content of the request, documents and pieces you communicate).

- Data related to a contact, complaint request you make (identification data provided, subject and content of the request, attached file, other Personal Data you voluntarily communicate).

## 5. HOW DO WE COLLECT YOUR DATA?

We can collect your Personal Data directly from you during your interactions with IN&MOTION or indirectly through, in some cases, our Partners, your relatives or third parties.

In some situations, we can also collect Personal Data about you through automated means: Google Analytics (optional cookies for which your consent is previously requested, see the section **"What is our cookie policy?"**), Plugs-Ins, Social Networks, such as LinkedIn, Facebook, Twitter, Instagram, YouTube, TikTok, Blogs or third-party websites (when you interact with us from these social networks).

## 6. HOW LONG DO WE KEEP YOUR DATA?

Your data is kept by IN&MOTION for the duration necessary for the purpose of their processing.

You can refer to the following table for these retention periods:

PURPOSE		LEGAL BASIS	RETENTION PERIOD
Management of orders, delivery, execution of the service or provision of Products, etc.		Contract execution	Duration of the contractual relationship
Synchronization data, performance data, geolocation data (in case of synchronization activated by the User)		Legitimate interest	Duration necessary for the realization of the survey objective or until the exercise of the right of opposition
Accounting, tax obligations, etc.		Legal obligation	Legal retention period of 10 years
Customer relationship monitoring	Satisfaction surveys / customer review management / sending of commercial messages	Legitimate interest	Duration necessary for the realization of the survey objective or until the exercise of the right of opposition

	Complaint management	Contract execution	Duration of the contractual relationship
	After-sales service	Contract execution	Duration of the contractual relationship
Studies on the quality of products and services  Sales statistics		Legitimate interest	Duration necessary for the realization of the study objective or until the exercise of the right of opposition
Management of prospecting actions with people who are not customers of IN&MOTION	Automated sending of electronic message (email, SMS, automated calling system etc.)	Consent	3 years from the last contact with the person or until withdrawal of consent
Online form management		Legitimate interest	Duration necessary for the management of the online request
Application management		Legitimate interest	2 years after the last contact we had with you as a candidate
Management of contracts with Partners and their payments		Contract execution	Duration of the contractual relationship
GDPR rights management		Legitimate interest	Up to 3 years after the exercise of your right
Dispute management		Legitimate interest	Throughout the duration of the concerned prescription

## 7. HOW DO WE PROTECT YOUR PERSONAL DATA?

### Minimization of data and limitation of access to authorized persons

IN&MOTION commits to only collect and process the Personal Data strictly necessary with regard to the purposes pursued in the context of its activity.

All persons who have access to your data are subject to professional secrecy.

### Limitation of the retention period of Personal Data

IN&MOTION commits to limit the retention of your Personal Data to a duration not exceeding that necessary with regard to the purpose(s) for which they are processed.

### Quality control of Personal Data

IN&MOTION ensures the accuracy of your Personal Data and the legality of their processing and commits to correct or delete without delay all data that would be inaccurate or whose processing would be illegitimate.



## Security and pseudonymization of your Personal Data

IN&MOTION commits to protect your Personal Data against any loss, destruction, or unauthorized alteration, access, or disclosure. For this, IN&MOTION implements appropriate technical and organizational measures, with regard to the nature of the data and the risks that their processing involves, to preserve the security and confidentiality of your Personal Data and, in particular, to prevent them from being distorted, damaged, or unauthorized third parties having access to them.

These measures may notably include practices such as limited access to data by the personnel of the services authorized to access it because of their functions, contractual guarantees in case of recourse to an external provider, impact studies on privacy, regular reviews of our practices and privacy respect policies and/or physical and/or logical security measures (secured access, authentication process, backup copies, antivirus software, firewall, encryption and pseudonymization, etc.).

## 8. WHO HAS ACCESS TO YOUR PERSONAL DATA?

Access to your Personal Data is limited to only those people who strictly need it to pursue their mission within the purposes detailed in the section **"Why and how long do we use your Personal Data?"** .

People who access your data are subject to professional secrecy and an obligation of confidentiality.

People who may have access to your Personal Data are:

- IN&MOTION's authorized collaborators: employees in charge of monitoring your contract, monitoring your relationship with us, customer service, website management, accounting, human resources...
- Our IT service providers: host of our Platforms and other providers of IT solutions.
- Our Partners, insurers and other organizations acting on our behalf for specific services.
- Auditors, accountants to meet our legal obligations in terms of administration and accounting.
- Authorities and services responsible for control procedures, if applicable (in terms of labour law, fight against fraud, corruption, ...).
- Police or gendarmerie services when they justify the need to transmit certain specific data for the needs of an investigation.
- Companies in charge of debt collection, if necessary.
- Legal auxiliaries and ministerial officers, for the needs of a procedure before the courts or before, for its preparation.
- Our consultants and advisers bound by professional secrecy.

## 9. ARE YOUR PERSONAL DATA TRANSFERRED OUTSIDE THE EUROPEAN UNION?

IN&MOTION may be required to transfer Personal Data outside the European Union (United Kingdom, Japan, Canada and USA) only in the following cases:

- For the needs of customer incident management reported by Partners based abroad (United Kingdom, Japan, Canada and USA)
- For the possible needs of a Product recall.

The data transferred in this context are limited to identification data (first and last name, internal customer identification code, contact details) or to usage data (speed, performance, geolocation) in case of incident report.

Regarding the United Kingdom, Japan and Canada, it is specified that these countries are subject to a GDPR adequacy decision guaranteeing the security of personal data transfers to these countries.

Regarding data transfers to the USA, it is specified that IN&MOTION has implemented appropriate guarantees.

## **10. WHAT ARE YOUR RIGHTS AND HOW TO EXERCISE THEM?**

In accordance with the applicable law on the protection of Personal Data, you have the right, at any time, to request access, rectification, erasure and, in some cases, the portability of your Personal Data, or to request to restrict their processing or to oppose it. You can also request the withdrawal of your consent given, where applicable, for a specific processing.

To exercise these rights, you can directly contact IN&MOTION according to the modalities mentioned in the paragraph "**How to contact us?**" below.

Please note that if you exercise one of the rights mentioned above, you will be asked to let us know which right you wish to exercise and to provide us with certain information (copy of an identity card, passport or other legally recognized identity document) for identification purposes to process your request and protect you against fraudulent requests from third parties.

You also have the right to file a complaint with the National Commission for Informatics and Liberties ("**CNIL**"), in case of alleged violation of the applicable data protection rules.

You will find below explanations on the nature of your rights.

**You wish to access your personal data:** the right of access allows you to know if Personal Data concerning you is subject to processing by IN&MOTION and, where applicable, to obtain its communication.

**You wish to rectify your personal data:** the right of rectification allows you to request the correction or completion of your Personal Data that would be inaccurate.

**You wish to delete your personal data:** you have the right to request the erasure of your Personal Data by IN&MOTION, particularly for one of the following reasons:

- Your data is not or no longer necessary with regard to the purposes for which they were initially collected or used by IN&MOTION,
- You have opposed the processing of your data by IN&MOTION for legitimate reasons (example: you do not wish them to be processed for statistical purposes),
- Your data is subject to unlawful processing,
- Your data must be deleted to comply with a legal obligation.

Please note that Personal Data that is archived by IN&MOTION to comply with a legal obligation cannot be deleted.

**You wish to oppose the processing of your Personal Data:** the right of opposition allows you to oppose the processing of your personal data for reasons relating to

your particular situation (example: you are already a customer and no longer wish to receive commercial communications from IN&MOTION).

**You wish to limit the processing of your Personal Data:** you can ask IN&MOTION to limit the use of your data when you dispute the accuracy of your Personal Data, in case of illegality of the processing, when we no longer need your Personal Data or if you have opposed the processing.

**You wish to exercise your right to the portability of your Personal Data:** you can request to receive or that we transmit to a third party in a structured, commonly used and machine-readable format the Personal Data you have provided directly to us and that we process via an automated process for the purposes of executing your contract or on the basis of your consent.

**You wish to withdraw your consent to a specific processing:** when the processing of your Personal Data is based on your consent, you can decide to withdraw it at any time. In accordance with the applicable regulations, the withdrawal of your consent will not affect the Personal Data processing already carried out nor those based on other legal bases, such as the execution of your contract.

## 11. HOW TO CONTACT US?

For any question regarding our Privacy Policy, any request to exercise a right or for any complaint, please contact us at the following coordinates:

By e-mail: [protectiondesdonnees-dpo@inemotion.com](mailto:protectiondesdonnees-dpo@inemotion.com)

By phone: +1 (917) 403-3163

By mail:

In&motion Airbag Technology

Attn. Customer Care

147 Prince Street

Brooklyn, NY 11201

USA

Or by sending a message via the “[Contact](#)” section of our Platforms.

For questions specifically related to emails containing commercial communications, we remind you that you can unsubscribe at any time directly through the “unsubscribe” link contained in all the emails containing commercial communications that we have sent you.

## 12. REGION-SPECIFIC DISCLOSURE

We may choose or be required by law to provide different or additional disclosures relating to the processing of personal information about residents of certain countries, regions or states. Please refer below for disclosures that may be applicable to you:

- If you are a resident of the State of Nevada in the United States, Chapter 603A of the Nevada Revised Statutes permits a Nevada resident to opt out of future sales of certain covered information that a website operator has collected or will collect about the resident. To submit such a request, please contact us at [customer@inemotion.com](mailto:customer@inemotion.com).