

PRIVACY POLICY

HealthPlate OÜ (hereinafter referred to as “Company”/“we”) is a legal entity registered under the law of Estonia. We always respect the privacy of every natural person and process the Personal Data only following the applicable Data Protection Legislation.

This Policy is construed to describe how and why the Company collects, uses, or otherwise processes the Personal Data. You must carefully read this Privacy Policy before the use of the HealthPlate Application, Website, or the Company’s Services.

By downloading and using the Website and/or the HealthPlate Application and/or using the Services, you explicitly agree to this Privacy Policy.

When collecting, using, storing, or otherwise processing the Personal Data, the Company always acts as a Data Controller regarding your Personal Data in the context of the GDPR.

DEFINITIONS

“**HealthPlate Application**” / “**Application**” means the application developed and owned by the Company, through which the Company provides the Services to the Users. Application can be used by means of its downloading to the User’s mobile device.

“**Website**” means the website <https://healthplateapp.com/>.

“**HealthPlate System**”/“**System**” means the joint definition for the Website and the Application.

“**Services**” means services provided through the HealthPlate System by Company to the User, including Paid Services.

“**Data Protection Legislation**” means any and all data protection and privacy legislation in force in those parts of the world in which the Company operates and/or processes the Personal Data, including but not limited to the Data protection legislation of Estonia and the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR).

“**Data Controller**”/“**Controller**” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

“**Data Processor**”/“**Processor**” means a natural or legal person, public authority, agency or other body which processes the Personal Data on behalf of the Controller.

“**Data Subject**” means a natural person, whose Personal Data are collected, used or otherwise processed.

“**Personal Data**” mean all the identifiable personal information about the natural person, including Sensitive Personal Data.

“**Recipient**” means a natural or legal person, public authority, agency or another body, to which the Personal Data are disclosed, whether a third party or not.

“**Terms of Service**” means a document, which governs the provision of Services through the HealthPlate System and which regulates legal relationships between the Company and Users.

All other capitalized definitions used in this Privacy Policy shall be interpreted in accordance with applicable Data Protection Legislation and the Terms of Service.

CONTACT DETAILS OF THE COMPANY

Below you can find the contact details of the Company:

Full title: HealthPlate OÜ;

Address: Harju maakond, Tallinn, Kesklinna linnaosa, Vesivärava tn 50-201, 10152, Estonia;

Registry code: 16008268;

E-mail address: info@healthplateapp.com;

Tel: +38(050)430-09-81.

USE OF PERSONAL DATA

In this section, we clarify which Personal Data the Company collects, uses, and processes, and for which purposes such Personal Data are processed. We also describe the legal basis according to which the Personal Data are collected and processed.

Registration of account. You can start using the HealthPlate Application and Services, including the Paid Services provided through the Application, only after the account registration process is completed. While registering the account, we may offer you to provide to us the following Personal Data: first name, last name, email address, telephone number.

For the purposes of account registration, we process the Personal Data based on the contractual relationship between the Company and the User constituted upon your acceptance of the Terms of Services. In that case, your consent to the Processing of your Personal Data is not required.

While using HealthPlate Application, you may upload your own photo that will be used as a part of your account information.

Personal data obtained from third parties. You can register your account through your existing social network profile on Facebook or your account on Google. In that regard, some of your sign-in credentials, such as the first name, and/or last name, and/or phone number, and/or the e-mail address may be imported from your account on Facebook or Google to the Application. Please note that we may also get access to other information from your public accounts on Facebook or Google, but we collect only the information about you, which is required for the proper registration of the account.

We would like to note that if you do not provide us some of the Personal Data required for the registration of the account, unfortunately, you will not be able to register the account.

Service provision. During the use of the Application, we may offer you to provide some personal information about you, which is important for the proper provision of the Services. You may be asked to provide the following (and possibly other) information: your gender, date of your birth, your height, your weight, nutritional supplements you take (if any), your usual stress level, your food preferences, your meal portions sizes, any foods you avoid, your habits, sleep duration. The Company may also offer you to provide any other information that is important for your proper use of the System and Company’s Services.

For the purposes stated above, we process the Personal Data based on the contractual relationships between the Company and the User constituted upon your acceptance of the Terms of Services. In that case, your consent to the Processing of your Personal Data is not required.

Sensitive Personal Data. During the use of the Application, we may require some Personal Data about your health conditions. Such Personal Data are collected solely for the purposes of the proper provision of the Services. Your Sensitive Personal Data may be also used for the purposes of profiling during the provision of the Services.

We may collect and use your Sensitive Personal Data only based on your specific consent that must be kept by the Company under the requirements of the applicable Data Protection Legislation. You have a right to withdraw your consent at any time by submitting an appropriate request to the company's email address info@healthplateapp.com and in the order specified in WITHDRAWAL OF CONSENT section of this Privacy Policy.

We would like to note that if you do not wish to provide us with information about your health or ask us to delete such information, we cannot guarantee the Services will be provided properly or fully.

Payments. We do not collect or process your bank card details or any other personal information you provide to third parties for settlements except the information on the details of transactions made during the use of Services. If such information contains the Personal Data, we will process such data for the purposes of internal bookkeeping and accounting.

It is very important for us to keep bookkeeping and accounting properly. In that regard, we process the aforementioned Personal Data for the bookkeeping and accounting on the Company's legitimate interest basis. You have a right to object to the processing based on such legal grounds at any time by submitting to us an appropriate written request in the order specified in YOUR RIGHTS AND REQUESTS section of this Privacy Policy. If your individual interests, rights, and freedoms override our legitimate interests, we will not process your Personal Data for bookkeeping and accounting.

Analytics and statistics. We automatically collect some information and analytics during your use of the System. Such information includes (but is not limited to) data on the visited pages, clicked links, non-identifiable content you left in the System, operating system type and version, browser or app version, time zone setting, and usage of our iPhone and Android apps. Some of such information can be considered Personal Data. We process automatically collected Personal Data based on our legitimate interests because it helps us to improve our System.

You have the right to object to the processing based on such legal grounds at any time by submitting to us an appropriate written request in the order specified in YOUR RIGHTS AND REQUESTS section of this Privacy Policy. If your individual interests, rights, and freedoms override our legitimate interests, we will not process your Personal Data for such purposes.

Support. When communicating with our support team, you may provide to the Company the Personal Data about you at your sole discretion. We will process such Personal Data solely for the purposes of provision of the Services based on the contractual relationships between you and the Company.

Disputes and Claims. The Company may store and process your Personal Data for the purposes of resolving possible or potential future disputes that might be a result of the use of the System or Services, including disputes of legal nature. We also may process the Personal data for the purposes of establishment, exercise, and defense of legal claims.

We process the Personal data for the purposes of resolution of future disputes or claims on the legal ground of our legitimate interests. You have a right to object to the processing based on such legal grounds at any time by submitting to us a written request in the order specified in YOUR RIGHTS

AND REQUESTS section of this Privacy Policy If your individual interests, rights, and freedoms override our legitimate interest, we will not process your Personal data for such purposes.

Legal Obligations. When providing the Services, we may be subject to some legal obligations or requirements imposed on the Company by the applicable legislation, in particular, but not limited to, the obligations of official tax and accounting reporting. Therefore, we may use some of your Personal Data based on the necessity of compliance with the legal obligations to which the Company is subject. In such cases, we do not need your consent to the Processing.

MARKETING

Marketing Purposes. During your use of the Application, we may send you emails with commercial offers and promotions or any other useful information regarding the Services that helps you use the Application and the Services more efficiently. In that regard, we process your first name, last name, and email address for the purposes of direct marketing.

We process your Personal Data for the purposes of direct marketing based on our legitimate interests because the promotion of our Services helps us provide our Users with actual information on the Services as well as new accessible offers. At the same time, it helps us make Services better.

If you do not want to receive marketing emails, you may opt-out in your account or through the Application settings. You also may submit a request with the words “I DO NOT WANT TO RECEIVE COMMERCIAL INFORMATION” to the following email address info@healthplateapp.com, and we will stop sending you any commercial content.

Marketing research. We may use your Personal Data, including but not limited to data collected automatically, for marketing research and analytical purposes. It will help us provide our Services better and make them more suitable, attractive, and convenient for you and other Users.

We process the Personal Data for marketing research and analytical purposes based on our legitimate interests. You have a right to object to the processing based on such legal grounds at any time by submitting a request in the order specified in this Privacy Policy. If your individual interests, rights, and freedoms override our legitimate interest, we will not process your Personal Data for such purposes.

When processing the Personal Data for the purposes of direct marketing, marketing research, and analytical purposes, we may engage third parties. In this course, we may disclose to them some of your Personal Data on conditions specified in this Privacy Policy. The details of such third parties or their categories are specified below in this Privacy Policy.

SYSTEM NOTIFICATIONS

During your use of the Application, we may use your Personal Data to send you emails with notifications regarding the use of the Application or the Website. System notifications are a part of our support policy and help us inform you of any technical problems or interruptions in the functioning of the Application or the Website.

Our support team may also use your Personal Data for sending you emails in response to your requests submitted within the Company’s support services.

PROFILING

When providing you our Services, we create your profile, which consists of your Personal Data provided to the Company. Through the algorithms used within the Application, the Company uses the information from your profile to provide the Services with regard to your personal goals and your personal condition. Profiling means the Processing of your Personal Data and other information about

you to analyze or predict aspects of your use of the Services and behavior in reaching your goals. Personal Data and information collected via analytical research and statistics as well as the Sensitive Personal Data may also be used as a part of your profile. The Company processes your Personal Data for the purposes of profiling on the basis of the contractual relationships between the Company and the User.

Please note that we take all reasonable steps for humans to be involved in the process of decision-making with regard to you. At the same time, we ensure that suitable security measures to safeguard the data subject's rights and freedoms and legitimate interests are in place when profiling.

UNDERAGED USERS

When providing us your Personal Data, you guarantee that you are at least 18 (eighteen) years old. You are obliged to provide to the Company the accurate and true Personal Data about you, in particular your age. If you are an underage person, it is prohibited for you to use the Services. We hereby state that the Services are not intended for the use of underage persons, and we do not collect and process any Personal Data of underage persons.

If the Company becomes aware of the use of the Services by an underage person, the Company will immediately restrict the use of the Services by such person and delete all the Personal Data belonged to him/her without undue delay. We shall not bear any liability in case you provide us with not full, not accurate, or misleading Personal Data about you, in particular your age.

RETENTION PERIOD

We store your Personal Data no longer than it is required for the purposes of the Personal Data Processing specified in this Privacy Policy. Where required by law, we may store some of your Personal Data longer than it is required by the initial purposes of the Processing. Generally, we store your Personal Data no longer than 3 (three) years since the last day of the last Subscription Period is expired.

After the period of storage is expired, we delete all your Personal Data unless we require to process your Personal Data for the purposes determined by the applicable legislation, to which the Company is subject. Upon the expiry of the retention period, we delete all your Personal Data unless there are any other purposes of Processing under the applicable Data Protection Legislation or other applicable legislation.

The period of storage of cookie files is specified in the "Cookies" section of this Privacy Policy. Usually, the period of storage depends on the type of cookies we use. We do not use cookies longer than it is necessary.

We always try to use the newest technologies when storing your Personal data. We use pseudonymization and encryption technologies, where applicable, to all the Personal Data we store.

TRANSFER OF THE PERSONAL DATA

We share your Personal Data with the Recipients where it is necessary only for the purposes of processing specified in this Privacy Policy, in particular, where necessary to provide the Services.

Transfer of Personal data to Data Processors

There are many business activities we cannot conduct by ourselves. Therefore, we may engage legal or natural persons acting as our Data Processors. In that regard, for example, we may share your Personal Data with the Data Processors that provide us with the System technical support.

During the provision of the Services, we may also share your Personal Data with other Data Processors, in particular (but not limited to) Google, Elasticsearch, Mongo Atlas, SendGrid, GitLab,

Auth0, etc. The list of the Data Processors can be amended by the Company at any time through amending this Privacy Policy.

Data Processors are subject to privacy and security obligations consistent with our Privacy Policy and with the applicable Data Protection Legislation. They process the Personal Data solely under the Company's instructions, and the Company, in no event, transfers the Personal Data to Processors with the right for them to use the Personal Data other than on behalf of the Company.

When transferring the Personal Data to the Recipients, we, taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, make all reasonable steps for the implementation of appropriate technical and organizational measures to ensure a level of security appropriate to the risks that can be identified by the Company.

We engage only the Data Processors which warrant that they have the appropriate level of Personal Data protection following the GDPR. If any of our Data Processors engaged sets its own purposes regarding your Personal Data, such Data Processor shall be considered a separate Data Controller in the context of the GDPR. Should any Data Processor set its own purposes of Personal Data Processing, we strongly recommend you to familiarize yourself with the privacy documents of such Data Processor.

Legal transfer

Company may disclose your Personal Data to state authorities in order to comply with a legal or regulatory obligation imposed by the applicable legislation on the Company, or in order to protect and defend the Company's rights and interests.

Transfer to third countries

In some cases, we have to transfer the Personal Data to the recipients, which are established outside of the EEA (European Economic Area). In that case, the Company applies safeguards to protect your Personal Data from unauthorized disclosure and uses the highest level of security. We seek to transfer your Personal Data to the recipients established in the countries that have an adequate level of protection of Personal data. If it is impossible, we provide the appropriate safeguards as specified in article 46 of the GDPR, in particular, by using the standard contractual clauses approved by the European Commission. In some cases, the derogations specified in article 49 paragraph 1(b) of the GDPR may be applied.

COOKIE FILES

Cookies are small text files placed on your device or your Internet browser that allow the Company to remember certain data about you. We use cookie files about you for multiple purposes, in particular, for ensuring your proper use of our System. We need cookie files for storing your settings, preferences and activities within the System, and managing your account. For example, we may use cookies files to log your last visit to the System or recognize you when you return to the System.

We may also use cookies for marketing purposes or for analyzing your use of the System. Generally speaking, we use cookies about you for the purposes of improving our System and making our Services better and more efficient.

There are several types of cookies we use.

- Cookies, which are strictly necessary. We use such cookies for the provision of the basic functions of the System. The System will not work properly and some of the content may not be correctly displayed in the System, if you turn off strictly necessary cookies.

- Cookies, which can be used for advertising, statistical, or analytical purposes. Such cookie files are not obligatory. You can refuse the usage of such cookie files in an order specified in this Privacy Policy.

If you do not wish us to use your cookies, which are stored on your device, you have an ability to change the settings on your device or change the cookie settings on your Internet browser and turn off or restrict the collection of cookies or some of their types.

We process all the cookies based on your consent. If you do not prevent the use of cookie files on your device or the Internet browser, you provide your consent to the use of such cookies. You have a right to withdraw the consent to the use of some cookies at any time by refusing the use of such cookies.

We also use third parties' cookie files to share some data about you with our partners for analytical, statistic, and advertising purposes. For example, Google Analytics may use cookies about you for analytical purposes. You may turn off the third-party cookies through adjusting the settings on your device or your Internet browser or in any other way.

The retention period of each cookie depends on the type of cookie. We use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your device for a set period of time or until you delete them).

YOUR RIGHTS AND REQUESTS

When using, storing, or otherwise processing your Personal Data, we take all reasonable steps to ensure that you have proper control over your Personal data. To provide this, we will give you an ability to use the rights specified in the GDPR and applicable Data Protection Legislation. Some of the rights may be used only based on some condition specified in the respective article of the GDPR. Generally, you have a right to (i) request access to personal data; (ii) request rectification of personal data; (iii) request erasure of personal data; (iv) request restriction of processing of personal data; (v) request data portability; (vi) object to the processing of Personal Data (including objection to profiling); (vii) request to not be subject to a decision based solely on automated processing.

You may, at any time, submit to the Company a request for exercising your rights and any other request mentioned in this Privacy Policy to the following email address info@healthplateapp.com. Herewith, you should explain clearly what right you want to exercise or what action you want the Company to take. We take all reasonable steps to ensure your rights are exercised promptly and all the requests are addressed in accordance with the applicable Data Protection Legislation.

WITHDRAWAL OF CONSENT

If your Personal data are processed based on consent, you will have the right to withdraw your consent to the processing of your Personal Data at any time by submitting a request with the words I WANT TO WITHDRAW MY (EXPLICIT) CONSENT TO THE PROCESSING OF MY PERSONAL DATA. In this regard, we will stop processing your Personal Data upon the consent is withdrawn. We may keep processing your Personal Data for other purposes determined by the applicable legislation, to which the Company is subject.

COMPLAINTS AND FEEDBACKS

If you think the Company processes your Personal Data unlawfully or any of your rights is violated, please inform us of this at the following email address info@healthplateapp.com or lodge a complaint with the respective supervisory authority of the European Union country of your habitual residence, place of work or of the alleged infringement or contact the Company.

You can find the contact details of the competent supervisory authorities on the European Commission's website at the following link <http://ec.europa.eu/>.

If you wish to leave feedback about the Services or if you have any question or suggestion to the Company, please, contact the Company at the following Company's email address: info@healthplateapp.com.

AMENDMENTS

The Company shall have the right, at its sole discretion, to modify, add, or remove any terms or conditions of this Privacy Policy without notice or liability to you. Changes will not apply retroactively and will become effective no sooner than fourteen days after they are posted. If you do not agree with the amendments to this Privacy Policy, please, stop your usage of the Services and inform us about this. You agree to review the Privacy Policy from time to time and agree that any subsequent usage by you of the Services following changes to the Privacy Policy shall constitute your acceptance of all such changes. The date of the last modification is listed at the bottom of this Privacy Policy.

Effective Date: This document is effective as of November 10th, 2020.