

# PRIVACY POLICY

Kharkiv

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This Policy for maintaining privacy of personal data (hereinafter referred to as the Privacy Policy) shall be valid in respect of all the data that the Torgsoft web-site <https://torgsoft.ua/>, the Torgsoft online store <https://store.torgsoft.ua/>, the TORGSOFT Computer Program software (according to Certificate No. 28184 dated 31 March 2009 issued by the State Department of Intellectual Property of the Ministry of Education and Science of Ukraine) (hereinafter referred to as the Torgsoft information systems) may obtain about the User when the User uses the Torgsoft information systems.

## 1. DEFINITION OF TERMS

1.1. In this Privacy Policy the following terms shall be used:

- 1.1.1. Administrators of the information systems (hereinafter referred to as the Administrators) shall refer to employees who are entitled to manage the Torgsoft information systems and act on behalf of TORGSOFT Limited liability company (hereinafter referred to as the Rightholder) and who organize and (or) perform processing of personal data, determine purposes of processing personal data, the composition of personal data to be processed, actions (operations) to be performed with personal data;
- 1.1.2. Personal data shall refer to any information that is related directly or indirectly to an identified or identifiable natural person (the subject of personal data);
- 1.1.3. Processing of personal data shall refer to any action (any operation) or a set of actions (operations) performed with personal data with the use or without the use of automation tools, including the collection, recording, accumulation, storage, clarification (update, modification), extraction, use, transfer (distribution, provision, access), depersonalization, blocking, deletion, destruction of personal data;
- 1.1.4. Privacy of personal data shall refer to the requirement that the Administrator or any other person who is authorized to have access to personal data should observe in order to prevent their disclosure/distribution without the consent of the subject of personal data or availability of any other legal basis for doing so;
- 1.1.5. The User of the Torgsoft information systems (hereinafter referred to as the User) shall refer to a person who has access to the Torgsoft information systems and uses the Torgsoft information systems;
- 1.1.6. Cookies shall refer to a small piece of data sent by the web server and stored on the user's computer that the web-client or the web-browser sends each time to the web-server in the HTTP-request when attempting to open the corresponding page of the web-site;
- 1.1.7. The IP-address shall refer to the unique network address of a node in the computer network based on IP-protocol.

## 2. GENERAL PROVISIONS

- 2.1. The User's use of the Torgsoft information systems shall mean his/her acceptance of this Privacy Policy and terms applicable to processing of personal data of the User.
- 2.2. In case of disagreement with the terms of the Privacy Policy, the User should stop the use of the Torgsoft information systems.
- 2.3. This Privacy Policy applies only to the Torgsoft Site <https://torgsoft.ua/>, the Torgsoft online store <https://store.torgsoft.ua/>, the TORGSOFT Computer Program software. The Rightholder and Administrators shall not control and are not responsible for third-party websites that refer to the Torgsoft information systems, for safety of the PC owned by the User or third person.
- 2.4. The Administrators shall not check the accuracy of personal information provided by the User of the Torgsoft information systems.

## 3. SUBJECT OF THE PRIVACY POLICY

- 3.1. This Privacy Policy shall set out obligations of the Administrators related to the non-disclosure and maintaining the regime that ensures protection of confidentiality of personal data that the User provides on the Administrators' request during the logging in the Torgsoft information systems.
- 3.2. Personal data that are allowed to be processed within the framework of this Privacy Policy shall be provided by the User by means of filling in the registration form in the Torgsoft information system or personally to the Administrator and include the following information:
  - 3.2.1. Surname, name and patronymic of the User;
  - 3.2.2. Contact phone of the User;
  - 3.2.3. Other means of communication of the User;
  - 3.2.4. E-mail address;

- 3.2.5. Address for information system of the goods;
- 3.2.6. Place of the User's residence;
- 3.2.7. User's kind of activity;
- 3.2.8. User's company name.
- 3.3. If the Users contacts the Technical Support Service of the Head Office of the Torgsoft company, the User shall give his/her permission for processing of the following types of data:
  - 3.3.1. Information from the data bases provided by the User;
  - 3.3.2. A range of bar codes for the order of discount cards by the User;
  - 3.3.3. Access to the Torgsoft information systems of the User;
  - 3.3.4. Access to the User's PC;
  - 3.3.5. Access to network equipment.
- 3.4. In this case, the Administrators does not store the User's data specified in para. 3.3.
- 3.5. The Torgsoft information systems shall protect the data that is automatically transmitted in the process of visiting the Torgsoft online resource pages:
  - 3.5.1. IP address;
  - 3.5.2. Information from the cookies:
    - 3.5.2.1. Disabling of cookies may result in the inability to have access to parts of the Torgsoft information systems;
  - 3.5.3. Information about the browser (or other program that provides access to the displaying of advertising);
  - 3.5.4. Access time;
  - 3.5.5. Address of the web-page where the advertising unit is located;
  - 3.5.6. A referrer (the address of the previous page).
- 3.6. Using the Google Analytics tools, the Torgsoft information systems collect statistics about IP-addresses of their visitors. This information is used to identify and solve technical problems.
- 3.7. Any other personal information not specified above (purchase history, used browsers, operating systems, etc.) shall be subject to safe storage and non-dissemination, except for cases envisaged by para. 5.2 and 5.3 of this Privacy Policy.

#### **4. OBJECTIVES of COLLECTING PERSONAL INFORMATION OF THE USER**

- 4.1. Personal data of the User can be used by the Administrators of the Torgsoft information systems in order
  - 4.1.1. To identify the User registered in the Torgsoft information system, to perform distance ordering and (or) sale of the goods;
  - 4.1.2. To provide the User with access to personalized accounts of the Torgsoft online store <https://store.torgsoft.ua/>;
  - 4.1.3. To establish feedback with the User, including sending of notifications, requests related to the use of Torgsoft information systems, rendering of the services, processing of requests and applications submitted by the User;
  - 4.1.4. To confirm the authenticity and completeness of personal data provided by User;
  - 4.1.5. To create an account to making purchases if the User has consented the creation of the account;
  - 4.1.6. To create the account in the internal database of the Administrators;
  - 4.1.7. To notify the User of the Torgsoft information systems about the state of his/her order.
  - 4.1.8. To process and receive payments, contest the payment by the User;
  - 4.1.9. To provide the User with effective customer and technical support in case of arising problems associated with the use of the Torgsoft information systems;
  - 4.1.10. To provide the User, with the his/her consent, with updates on the products, special offers, pricing information, newsletters and other information on behalf of the Torgsoft company;
  - 4.1.11. To carry out promotional activities with the User's consent.
  - 4.1.12. To communicate with the User and inform the User through social networks Facebook, Twitter and messengers Telegram, Skype, Viber, WhatsUp.
- 4.2. The Torgsoft company shall not use or store personal data of the Google users.

#### **5. METHODS AND TERMS FOR PROCESSING OF PERSONAL INFORMATION**

- 5.1. Processing of personal data of the User shall be carried out without limitation of the period by any legal means, including that of personal data in the information systems with the use or without the use of automation tools.
- 5.2. The User shall agree that the Administrators have the right to transfer personal data to third parties, such as courier services, postal organizations, solely for the purposes of performing the User's order places with the use of the Torgsoft information systems, including the delivery of the Goods.

- 5.3. In case of loss or disclosure of personal data, the Administrators shall inform the User about the loss or disclosure of his/her personal data.
- 5.4. The Administrators shall take appropriate technical and organizational measures to protect personal information of the User against unauthorized or accidental access, destruction, modification, blocking, copying, distribution, and other illegal actions of third parties.
- 5.5. The Administrators in conjunction with the User shall take all necessary measures for preventing negative consequences caused by the loss or disclosure of personal data of the User.
- 5.6. When you use archived databases via the API Google Drive, the Torgsoft company shall not store or use the Google user authentication data. Authorization data used in the Google authentication window for the obtaining of the token and work with the API Google Drive.

## **6. OBLIGATIONS OF THE PARTIES**

- 6.1. The User shall be obliged to:
  - 6.1.1. To provide information about the personal data required for the use of the Torgsoft information system;
  - 6.1.2. To update, supplement the provided information on personal data in the event of the change of such information;
  - 6.1.3. To monitor the relevance of personal data for ensuring timely and qualitative notification and service by the Administration.
- 6.2. The Administrators shall be are obliged:
  - 6.2.1. To use received information solely for the purposes specified in para. 4 of this Privacy Policy;
  - 6.2.2. To provide storage of confidential information in secret, not to disclose it without the prior written consent of the User and not to sell, exchange, publish or disclose in any other possible ways of submitted personal data of the User, with the exception of paragraphs 5.2 and 5.3 of this Privacy Policy;
  - 6.2.3. To take precautions for protecting confidentiality of personal data of the User pursuant to the procedure commonly used for protecting such kind of information in existing business practices;
  - 6.2.4. To implement blocking of personal data related to the respective User from the moment of the User's application or request during the period of checking, in case of detection of false personal data or illegal actions;
  - 6.2.5. Not to save, not to disclose, not to transmit data of para. 3.3 of this Agreement.

## **7. RESPONSIBILITY OF THE PARTIES**

- 7.1. In the case of loss or disclosure of the Confidential Information, the Administrators shall not bear any responsibility, if such Confidential Information:
  - 7.1.1. Became the public domain prior to its loss or disclosure;
  - 7.1.2. Was obtained from a third party prior to its receipt by the Administrator;
  - 7.1.3. Was disclosed with the consent of the User.
- 7.2. If the User provides incorrect personal data when using the Torgsoft information systems, the Rightholder and Administrators shall be not responsible for:
  - 7.2.1. Mismatch of terms for delivery of the goods;
  - 7.2.2. The failure to inform about the changes and new developments.
- 7.3. The Rightholder and Administrators shall not maintain the User's data specified in para. 3.3 and are not responsible for information provided by the User in para. 3.3

## **8. SETTLEMENT OF DISPUTES**

- 8.1. In case of disputes between the Rightholder and User related to issues envisaged by this Agreement, the Parties shall take all measures to resolve them through negotiations between themselves.
- 8.2. In case of failure to settle such disputes by means of negotiations, they shall have the right to transfer them for consideration by court in accordance with the current legislation of Ukraine.

## **9. ADDITIONAL TERMS**

- 9.1. The Rightholder shall have the right to amend this Privacy Policy without the User's consent.
- 9.2. The new Privacy Policy shall come into force from the date of its posting on the Torgsoft web-site <https://torgsoft.ua/>, unless otherwise envisaged by the new version of the Privacy Policy.
- 9.3. Any suggestions or questions related to this Privacy Policy should be reported to the Rightholder's e-mail [info@torgsoft.com.ua](mailto:info@torgsoft.com.ua).
- 9.4. The current Privacy Policy is available on the Torgsoft website <https://torgsoft.ua/> under the Company section.