

#### **A. Introduction**

This Privacy notice is provided with reference to the personal data processing activities carried out by the Data Controller (as defined below), a company belonging to the Mondadori Group - a corporate group consisting of the parent company Arnoldo Mondadori Editore S.p.A. and its subsidiaries in accordance with article 2359 of the Italian Civil Code (hereinafter referred to as the "**Mondadori Group**").

#### **B. Data controller**

The company which will process your Personal data for the purposes set out in section C of this Privacy notice and which, therefore, will act as data controller (hereinafter, the "**Data controller**") is **Mondadori Digital S.p.A.** with registered office in Via Gian Battista Vico 42, 20123 – Milan, registered at the Companies' Register of Milan, Tax code and VAT number no. 14371170961.

#### **Contact details:**

The Data controller can be contacted via following channels:

- by writing to the Privacy Office of the Mondadori Group (*ufficio Privacy del Gruppo Mondadori*, Arnoldo Mondadori Editore SpA, Via Mondadori 1, 20054 – Segrate (Milan), Italy);
- by e-mailing [privacy@mondadori.it](mailto:privacy@mondadori.it) with "alla cortese attenzione dell'ufficio Privacy del Gruppo Mondadori".

Moreover, in order to facilitate relations between you and the Data controller, EU Regulation 2016/679 (hereinafter "**GDPR**") has provided, in certain specific cases, for the appointment of a supervisory and support figure who, among the various tasks entrusted to them, also acts as a point of contact with the Data Subject.

The Mondadori Group has adopted the position of "*Data Protection Officer*" ("**DPO**").

Pursuant to and for the purposes set out in Article 39 of the GDPR, the DPO is called upon to carry out, *inter alia*, the following activities:

- inform and advise the Data controller, the Data processor and the employees performing the Processing on the obligations arising from the GDPR and from other provisions of the EU or Member State relating to the protection of Personal data;
- monitor and supervise compliance with the GDPR, applicable regulations on the protection of Personal data and the policies and procedures adopted by the Data controller;
- provide support in feedback to the data subject;
- cooperate with the competent Authority for the Protection of Personal Data.

As provided for in Article 38 of the GDPR, you can freely contact the DPO for all matters relating to the processing of Personal data and/or if you wish to exercise your rights as provided in the section F of this Privacy notice, by sending a written communication to the e-mail address [dpo@mondadori.it](mailto:dpo@mondadori.it).

#### **C. Purposes for which the Data controller will process your Personal data**

Without prejudice to what has been clarified in the Privacy notice you have already received relating to browsing the website available at [the following link](https://digital.mondadori.it/docs/digital/privacy-notice-mondadori-digital-spa-en.html) <https://digital.mondadori.it/docs/digital/privacy-notice-mondadori-digital-spa-en.html>, this Privacy notice refers to the Processing of Personal data carried out by the Data controller in order to offer and provide the hosting and other related services requested by you.

In particular, the Data controller will process your Personal data for the following purposes:

##### **C1) Completion and execution of the contractual relationship.**

Upon your request, the Data controller will process your Personal data for the purpose of evaluating your request to use the hosting services offered by the Data controller and, where applicable,

executing the relevant contractual relationship pursuant to Article 6(1)(b) of the GDPR.

The Processing will be carried out through the collection and processing of the Personal data communicated by you during the request and registration process, as well as other technical information associated with you, such as your IP address, the approximate origin of the connection, the timestamp of the request (i.e., date and time), the browser identifier, and other related technical metadata. For the sake of transparency, we inform you that the latter technical information, together with your personal identification (meaning, your first and last name or company name and VAT number) and your e-mail address, will be processed by the Data controller through an automated decision-making process insofar as it is necessary for a preliminary assessment of the trustworthiness and lawfulness of your request to use the hosting service offered by the Data controller. This decision-making process is carried out by means of a special algorithm – developed by the Data controller in compliance with the principles of *privacy by design* and *by default* and including appropriate measures to protect the rights, freedoms, and legitimate interests of Data Subjects – which analyses the above information and automatically identifies potentially unlawful, fraudulent and/or fictitious requests ("**Algorithm**"). This decision-making process is strictly necessary for the conclusion of the contract between you and the Data controller because the number of requests received by the Data controller would make it impossible to handle each request manually (for instance, because they could be made in a massive way by an automated BOT).

You will always have the opportunity to obtain the human intervention of the Data controller's staff, to express your opinion about the possible refusal and/or, in any case, to contest the decision taken by the Data controller. To exercise these rights, you will be able to interact directly with the communication of refusal that you may have received and/or contact the Data controller at the contacts indicated in this Privacy notice.

##### **C2) Maintenance and improvement of the Algorithm.**

As stated in paragraph C1) above, the Data controller uses the Algorithm to carry out a preliminary assessment of requests for activation of the hosting service. In this regard, it is in the Data controller's interest to ensure that the Algorithm always provides precise and accurate results, effectively and efficiently detecting any unlawful, fraudulent and/or fictitious activation requests. For this reason, subject to your right to object, the Personal data processed by the Algorithm for the purpose under C1) will be retained for an additional period of 15 days from the date of the service activation request to be used for improving the effectiveness and reliability of the Algorithm, and to minimize the rate of any errors. We consider it important to point out that (a) all this will be done by applying specific minimization and security measures, (b) only where you have not exercised your right to object, and (c) it is ultimately also done for the benefit of the Data Subjects themselves because it serves to protect your expectation to obtain a reliable and correct evaluation. These interests have been specifically assessed by means of a balancing assessment pursuant to Article 6 (1) (f) GDPR, from which it emerged that the interest of the Data controller in the maintenance and improvement of the Algorithm is legitimate and would prevail over the generic and countervailing interest in the confidentiality of the Data Subjects. In any case, we remind you that you may object to the Processing at any time by contacting the Data controller at the contact details provided in this Privacy notice.

##### **C3) Compliance with legal or regulatory obligations.**

As the case may be, the Data controller may process your Personal data in order to comply with legal and/or regulatory obligations applicable to it, as well as to respond to requests from competent authorities. In this case, the Processing of your Personal data will be based on the fulfilment of legal obligations to which the Data controller is subject pursuant to Article 6(1)(c) of the GDPR.

##### **C4) Merger and acquisition operations and/or corporate reorganization.**

To the extent applicable, the Data controller may also disclose or process your Personal data in the context of M&A operations, transfer of contract, business or business unit, corporate reorganization and restructuring in order to conclude and manage such operations or to fulfil contractual obligations arising therefrom. In this case, the Processing of your Personal data will be legally

based on the legitimate interest of the Data controller to perform such operations pursuant to Article 6(1)(f) of the GDPR, namely, the legitimate interest of the Data controller in pursuing and exercising its freedom of economic initiative to carry out such operations. You will always have the right to object for reasons based on your particular situation and, as the case may be, you will be provided with further information with more details about the specific processing carried out in the context of the corporate transaction.

#### **C5) Defense in court and protection of own interests.**

The Data controller may process your Personal data to assess, exercise and/or defend its rights in judicial and/or litigation proceedings. Such Processing will be legally based on the legitimate interest of the Data controller to protect its rights within the meaning of Article 6(1)(f) of the GDPR, namely, the legitimate interest of the Data controller in protecting its rights and respective legal positions. You will always be granted the right to object for reasons based on your particular situation and, as the case may be, you will be provided with further information with more details about the specific processing carried out.

In order to allow the Data controller to carry out the Processing activities for the purposes set out in points 1) and 3) above, it will be necessary for you to provide the Personal data marked with the symbol \*. In the absence of even one of such information, it will not be possible to proceed with the Processing of your Personal data and, consequently, it will not be possible to complete your request for activation of the hosting service and, if applicable, of the other services contextually requested and, as the case may be, to fulfil the legal obligations applicable to the Data controller. For the remaining purposes referred to in numbers 2), 4) and 5), the provision of data is optional, but in any case, necessary for the performance of each Processing; depending on the case, therefore, it may not be possible to perform the Processing and/or continue with the performance of the contract entered into by you.

The Personal data that will be requested from you for the pursuit of the above purposes will be the data indicated on the registration forms, meaning, depending on the services requested from the Data controller: first name, last name and/or company name, username, year of birth, address of domicile/residence, e-mail address, telephone numbers of landlines and/or mobile phones, tax code and/or VAT number, IP address, approximate location on at least a regional basis of the Internet connection, frequency of connection attempts and other associated technical information. In addition, if you also activate services that involve money transfers to you (e.g., advertising revenue), the Data controller will also process your place and date of birth, your IBAN and/or PayPal address and other information strictly necessary to process the payment.

#### **D. Data recipients**

Your Personal data may be disclosed to specific parties in order to correctly perform all processing activities necessary to pursue the purposes set out in this Privacy notice. In particular, the following parties may process your Personal data:

- natural persons to whom the Data controller entrusts specific processing operations on your Personal data, who act under the direct authority of the Data controller and comply with its instructions. Such natural persons are appointed as persons authorised to process by the Data controller;
- third parties who carry out part of the processing activities and/or activities connected and instrumental thereto on behalf of the Data controller by virtue of a contract with the latter (e.g. software houses, companies offering IT maintenance and development services). These subjects are appointed as Data processors;
- third parties who may process your Personal data within the scope of the purposes set out in this Privacy notice in their capacity as independent data controllers (e.g. public and private entities, including but not limited to, third party companies, associations, public organisations, insurance companies, consulting firms, freelance professionals, credit institutions, third-party companies and/or companies belonging to the Mondadori Group etc.).

#### **E. Data retention period of your Personal data**

One of the principles applicable to the processing of your Personal data concerns the limitation of the storage period, regulated in Article 5(1)(e) of the GDPR.

In light of this principle, your Personal data will be processed only to the extent necessary for the purposes set out in section C of this Privacy notice. Please note that the Personal data processed for the purpose C2 - Maintenance and improvement of the Algorithm will be processed for a maximum period of 15 days from the date you requested the activation of the hosting service. In particular, your Personal data will be kept for a period of time equal to the minimum necessary, as indicated by *Whereas* 39 of the GDPR, that is, up to ten years from the termination of the existing contractual relationship between you and the Data controller, without prejudice to any further retention periods that may be imposed by law, as also provided for in *Whereas* 65 of the GDPR.

For the remaining purposes C3), C4) and C5) (compliance with legal obligations, pursuit of extraordinary transactions and protection of rights), Personal data will be processed for the period of time strictly necessary to achieve the relevant purpose (e.g., until the legal obligation applies, until the relevant corporate transaction is completed, etc.), without prejudice to any applicable limitation period.

#### **F. Your rights**

As provided for in the GDPR, you may exercise the following rights against the Data controller at any time:

- **Right of access:** you have the right to obtain from the Data controller confirmation as to whether or not Personal data relating to you are being processed (or the existence of an automated decision-making process) and if so, to obtain access to and/or a copy of such Personal data (Art. 15 of GDPR).
- **Right to rectification:** you can obtain the rectification or supplementation of your Personal data that is inaccurate, partial and/or incomplete (Art. 16 of GDPR).
- **Right to erasure ("right to be forgotten"):** under certain circumstances, you have the right to have your Personal data deleted without undue delay (Art. 17 of GDPR).
- **Right to restriction:** under certain circumstances, you may obtain the restriction of processing (e.g. if you object to the processing, if you exercise your right to rectification, and/or if the processing is unlawful). In the event of a restriction on processing, your Personal data will only be processed, except for storage, with your consent or for the establishment, exercise or defence of legal claims or to protect the rights of another natural or legal person or for reasons of substantial public interest. We will, in any event, inform you before such restriction is lifted (Art. 18 of GDPR).
- **Right to data portability:** you may, at any time, request and receive all your Personal data processed by the Data controller in a structured, commonly used and machine readable format or request its transmission to another data controller without hindrance (Art. 20 of GDPR).
- **Right to object:** you have the right to object at any time, on grounds relating to your particular situation, to the processing of Personal data concerning you. In the event of an objection, the Data controller will refrain from the processing to which you object, unless it can be shown that there are compelling legitimate grounds for processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of a legal claim (Art. 21 of GDPR).

To exercise all your rights, simply contact the Data controller or DPO at the contact details given in section B of this Privacy notice.

You also have the right to lodge a complaint with the **supervisory authority**: without prejudice to your right to appeal in any other administrative or judicial forum, if you consider that the processing of your Personal data is in breach of the applicable legislation and/or that your rights have not been fulfilled, you may lodge a complaint with the Italian Data Protection Authority or other competent supervisory authority.

#### **G. Where your Personal data will be processed**

Your Personal data will be processed by the Data controller within the territory of the European Union. If, for technical and/or operational reasons, it becomes necessary to use parties located outside the European Economic Area, the Data controller undertakes to ensure that the level of protection of your Personal data is substantially equivalent to that provided by the GDPR and European

data protection legislation. Any possible transfer of data will be regulated in accordance with Chapter V of the GDPR, basing such transfers on: *(a)* European Commission adequacy decisions; *(b)* standard contractual clauses drafted by the European Commission; *(c)* the adoption of corporate binding rules (BCRs). In any case, you can request more details from the Data controller if your Personal data have been processed outside the European Economic Area.

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## Glossary

In application of the principle of transparency, we provide below a short glossary containing some key words used by the GDPR and their definition.

- **Personal data:** “any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.
- **Data subject:** the natural person to whom the personal data relate.
- **Processing:** “any operation or set of operations which is performed on personal data or on sets of personal data,

*whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction”.*

- **Data controller:** “*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:** “*a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller*”.