

PERSONAL DATA PROTECTION POLICY FOR PRESTASHOP DOWNLOAD

INTRODUCTION

It is normal to place special emphasis on how your data is obtained, used and shared.

That is why this personal data protection policy (the “**Policy**”) has been created to help you understand the practices and conditions in which PrestaShop SA (a public limited company entered on the Paris company and trade register under no. 497 916 635, having its offices at 12, rue d'Amsterdam, 75009, Paris, (“**PrestaShop**”) gathers, uses and stores your personal data (the “**Data**”).

In this document you will find the various Data that we may collect and process or that you may provide to us when you download and use the PrestaShop software (the “**Solution**”) that enables you to create e-commerce websites (the “**Merchant Website**”). The latter can be personalised by installing Modules and Themes offered on the official marketplace, which can be accessed at <http://addons.prestashop.com> (the “**PrestaShop Addons**”) or displayed by default in the Merchant Website Back Office.

Some PrestaShop official Partners identified as such on PrestaShop Addons (the “**Partners**”) offer third party services that can be used by User who, when required, downloads the interface giving access to those services (the “**Connectors**”) on PrestaShop Addons or directly via their Back Office.

Use of the Solution is subject to this Policy.

Given that laws and regulations on technology and personal data protection are constantly evolving, this Policy is likely to be updated.

If you are a Solution User, you will be notified of any modifications by email.

If any of the clauses in this Policy should be declared null and void or contrary to regulations, that clause will be deemed nugatory, but will not result in any other clauses in this Policy becoming null and void.

This Policy applies to Data collected during the User's use of the Solution.

It does not apply to information collected by any third party or through websites managed by the latter, including via applications and content (including advertisements) redirecting users to <https://www.prestashop.com> where they can download the Solution.

Please read the Policy carefully to clearly understand our practices regarding the processing of your Data. Please be aware that you must agree to this Policy in order to view and/or use our Websites.

If you do not agree, please do not use our Solution.

You are responsible for ensuring any Data provided to PrestaShop is complete and up to date.

1. WHAT DATA DOES PRESTASHOP COLLECT?

Depending on the nature and purpose of your interaction with PrestaShop, namely downloading and using the Solution, we may collect the following Data:

- **Your email address** is required for downloading the Solution and creating your user account.
- **Data relating to your identity**, such as your full name, may be required.
- **Your phone number** can be provided;



- **Data relating to the Merchant Website**, such as the business sector, server address, IP address and details about the Merchant Website's business in the form of statistical information.

2. HOW IS MY DATA COLLECTED?

Data can be collected in several ways.

It can be collected when you download the Solution and create your Merchant Website.

3. WHY IS MY DATA COLLECTED?

Collect of your Data may be necessary:

- To respect our contractual commitments;
- To comply with the laws and regulations in force;
- For PrestaShop's legitimate interest in order to develop its activity and improve its products and services.

We collect your Data to:

- Allow you to use the Solution and create your Merchant Website.
- Send you marketing offers.
- Provide them to our Partners for use in managing the partnership if you have downloaded the Connectors, and so that they can send you personalised offers.
- Help us improve the Solution and produce statistics.

4. WHO PROCESSES MY DATA?

Your Data are processed by PrestaShop employees tasked with managing the Solution.

In addition to our PrestaShop teams, your Data may be sent to PrestaShop Inc., a subsidiary of PrestaShop SA, whose offices are located at 80 SW, 8th Street, Suite 2000, Miami, FL 33130.

Your Data may also, within the scope of our business and for external processing needs, be provided to subcontractors, service providers and other third parties, particularly for hosting your Data.

Your Data (Connector download date, email, phone number if provided, your website URL, and your full name) will be provided to our Partners so (i) we can track the partnership concluded with PrestaShop and (ii) to allow them to send personalised offers to Users.

The latter are bound by contractual obligations to maintain the confidentiality of the Data and to use it solely for the purposes for which we provide them.

Your Data may also be sent to any buyer or successor in the event of the merger, transfer, restructuring, reorganisation, dissolution or other sale or transfer of some or all of PrestaShop's assets due to uncertainties, bankruptcy, liquidation or other processes in which the Data of Users of PrestaShop's various websites is listed among the transferred assets.

Lastly, we may also disclose your Data:

- To comply with legal mandates, laws and legal procedures, including governmental and regulatory requests.
- If we deem that disclosure is required or appropriate within the scope of protecting the rights, ownership or security of PrestaShop, our clients and other stakeholders. This disclosure includes exchanging information with other companies and organisations for the purpose of protecting against fraud and counterfeiting.

5. HOW LONG IS MY DATA STORED FOR?

PrestaShop only stores your Data for the period necessary for the purposes explained in Article 3.



This storage period varies according to the Data in question, as it may be affected by the nature and purpose of the collection. Similarly, certain legal obligations stipulate a specific storage period.

Data is stored for the full duration of your Solution use. Your Data then will be stored for five (5) years from the date our contractual relationship ends.

After that time, they may be anonymised and stored for statistical purposes only.

6. HOW IS MY DATA PROTECTED?

Your Data is stored on secure servers protected by firewalls and antivirus software.

We have implemented technical and organisational measures intended to protect the security and confidentiality of your Data against any accidental loss and any unauthorised access, use, modification or disclosure.

Given the inherent characteristics of the internet, we cannot guarantee the optimal security of information exchanged over this network.

We strive to protect your Data , but cannot guarantee the absolute security of information sent to the Website. You agree that you provide your Data at your own risk.

We cannot be held liable for any failure to comply with privacy settings and security measures implemented on our Websites.

As such, you agree that the security of your information is equally your responsibility. For instance, you are responsible for keeping your Merchant Website back-office password confidential.

Never provide it to any third parties. Similarly, be careful when you share information in the public sections of the Website as they can be viewed by all Website users.

7. WHAT ARE MY RIGHTS?

You can choose how the Data you provide is used:

- It is optional to provide your full name; you may choose not to enter it. In that case, you cannot personalise your Merchant Website with Modules, Themes and Connectors.
- You can decide not to provide your email address in the Solution download form. However, please be aware that you cannot download the Solution or create a Merchant Website in this case.
- You can decide to no longer receive personalised offers from our Partners. In this case, you will be able to oppose to their solicitation by all means made available by them. You can decide to no longer receive personalised offers from PrestaShop. You can unsubscribe through a link provided in the email.
- Your IP address must be collected to secure your Merchant Website back-office connection.

In any case, you can access your Merchant Website back-office at any time to view and update your Data.

In accordance with the provisions of the applicable regulations regarding personal data protection, namely the European General Data Protection Regulation 2016/679 (the “GDPR”) and the French Data Protection Act no. 78-17 of 6 January 1978 and its amendments, you have the right to access and correct your Data.

You also have the right to stipulate directives relating to the fate of your Data in the event of your death.

Furthermore, subject to the conditions of the aforementioned regulation for exercising your rights, you have:

- The right to erasure of your Data.



- The right to limit processing of your Data.
- The right to object to the processing of your Data on legitimate grounds, in accordance with article 21 of the GDPR.
- The right to portability for the Data you have provided.
- The right to withdraw consent, when it has been asked.

When processing of your Data has occurred based on your consent, you may withdraw that consent at any time. However, you acknowledge that any processing that occurred before your consent was withdrawn remains entirely valid.

You also have the right to object, without providing a reason, to PrestaShop profiling you based on your Data, when content or communications are sent for commercial solicitation.

However, in accordance with Article 12.6 of the GDPR, when you exercise these rights, PrestaShop, as the controller, reserves the right to require proof of your identity. Please be aware that the data required to prove your identity will be deleted once we have responded to your request.

You can exercise your rights by sending an email in French, English or Spanish to privacy@prestashop.com or writing to:

**PrestaShop S.A – Service Réclamation
Données Personnelles**

12, rue d'Amsterdam, 75009 Paris, France.

We are required to reply within one (1) month to all requests regarding the exercising of these rights. This timeframe may be extended to two (2) months for complex requests and large request volumes.

Lastly, you also have the right to lodge a complaint with CNIL (the French National Commission for Information Technology and Civil Liberties), namely via its website at www.cnil.fr.

8. DOES PRESTASHOP TRANSFER MY DATA OUTSIDE THE EUROPEAN UNION?

Data collected within the scope of Solution use are hosted by [Jaguar Network](#), 71 avenue André Roussin, BP 50067, 13321 Marseille, Cedex 16, France, whose servers are located in the European Union, Canada and the United States.

As such, your Data may be transferred outside of the European Union, to the United States for hosting purposes.

By using the Solution, you agree to your Data being transferred to those servers.

Lastly, within the scope of managing the partnership with our Partners, PrestaShop will provide the Data (Connector download date, email address, phone number if provided, your website URL, and your full name) of our Users who have downloaded the Connectors enabling them to use Partner services.

By downloading the Connectors, you agree to your Data being transferred to the aforementioned Partners.

The latter are bound by contractual obligations to protect and maintain the confidentiality of the Data and to use them solely for the purposes for which we provide them.