

PRIVACY POLICY

As the Ellr community continues to grow, we are making changes to provide the best possible experience for our users. The security of your data is very important for us. To support our innovative product and to enhance transparency, we have prepared a privacy statement. Please take the time to read it below. With the use of the Ellr website ellr.bike and our app you consent to our privacy statement

If you have any questions or comments, please contact our support team.

Thank you for being a part of the Ellr community.

1. IN GENERAL

1.1 Ellr Products. The concept of Traxx GmbH's Ellr app and the device (together the "Ellr Products") is based in part on the publication of details regarding individual users by making such details accessible to other users via the Ellr Products and social networks, e.g. Facebook.

1.2 Compliance with Data Protection Laws. The collection, administration and use of personal details by Ellr complies with applicable data protection laws by ensuring that, amongst others and subject to 3.1, each user is able to decide herself, which personal details shall be made accessible to other users.

2. PERSONALLY IDENTIFIABLE INFORMATION COLLECTED BY ELLR

2.1 Personally Identifiable Information. Ellr collects information from users upon registration (the "Registration" and an user then a "Registered User") and in connection with the use of any of the Ellr Products. Personally identifiable information shall be saved and used in particular in order to organize help for the user, offer new applications to the user, to improve such applications and conform them to the users' needs.

2.2 Data Collection. Upon Registration, certain user data is collected in several ways (the "Registration Information")

2.2.1 Mandatory Information. Certain information has to be given by a user in order to register for Ellr Products, such as:

- Phone number
- Motorcycle type

2.2.2 Optional Information. Certain information is optional during registration and can also be added or deleted later on by the user, such as:

- Surname & name
- Motorcycle model and year
- Photos of the motorcycle

2.3 Additional User Data. After registration different types of data are collected by Ellr (the "Additional User Data" and, together with the registration information, the "User Information"), such as:

- Routes (time, length and location)

· Social elements (Ellr Guardian Angel)

3. USE AND SHARING OF PERSONALLY IDENTIFIABLE AND NON-PERSONALLY IDENTIFIABLE INFORMATION WITH THIRD PARTIES

3.1 Confidentiality and Security. Ellr deems all user information confidential and does not disclose such information without the express informed consent of the user. Ellr has implemented reasonable security policies and procedures designed to protect user information.

3.2 Registration. With registration, the user explicitly agrees that Ellr shall have the right to use all collected personally identifiable information, for purposes of the Ellr Products and generally agrees with this Privacy Policy.

3.3 Sharing of Information. Ellr does not pass on personally identifiable information (see Section 2, above) to third parties, except as response to lawful requests from federal, state, local, or foreign law and civil enforcement agencies, as required by law, or with the explicit consent of the user, especially as set forth herein. Ellr implements all reasonable measures to prevent the unauthorized access by third parties to saved details.

3.3.1 Ellr transfers information of Registered Users to (i) other services, such as insurances or telecommunication providers, after Registered Users explicitly consent to the transfer; and (ii) vendors, service providers, and other partners such as Google Analytics, Amazon Web Services (AWS), who help Ellr to provide and improve its services, such as providing technical infrastructure services or analyzing how the services perform or how they are used.

3.3.2 Sensitive Data. Neither Sensitive Data nor information gained through the use of the Ellr framework, such as route data, will ever be shared with or sold to advertisers or similar agencies. Ellr does not use information gained through the Ellr framework for advertising or similar services. If a Registered User consents, Ellr may share such Registered User's data obtained through the Ellr framework with a third party for enhancement of the Ellr products. If Registered Users expressly consent, Ellr may use the Ellr framework for the sole purpose of logging and displaying a Registered User's location of his motorcycle. Ellr and Ellr's analytics service providers, following Ellr's instructions, may analyze engagement data for research purposes designed to provide a personalized experience and motivate engagement in security at riding a bike. You can always stop Ellr from accessing your data by changing the settings in your Ellr App.

3.4 Advertising. The user explicitly consents to the storage and use of non-personally identifiable information for purposes of newsletter marketing or on ellr.bike by Ellr or its partners.

3.5 Transmission and/or use of data within the Ellr group. Ellr receives information from, and shares information with, its affiliates, agents, and business partners in the Ellr group, e.g. KESSTECH GmbH that performs operational support for Traxx GmbH. The User Information shared with this group is aggregated data compiled from the information that it collects from Registered Users. We may use the information we receive from the group, and they may use the information we share with them, to help operate, provide, improve, understand, customize, support, and market our services and their offerings.

3.6 This website uses Hotjar, a web analysis service of Hotjar Ltd, Level 2, St Julians Business Centre, 3 Elia Zammit Street, St Julians STJ 1000, Malta. The information generated by Hotjar's cookies about your use of the website is usually transferred to a Hotjar server and stored there. Hotjar will use this information to evaluate your use of the website and to compile reports on website activity.

The following in particular are stored:

IP address in anonymized form;
viewed websites and patterns of movement on these pages;
Number and position of clicks on links;
Browser type and version;
Screen size of the terminal device used.
Personal data or movements on profile pages containing personal data are not stored. According to Hotjar, IP addresses in particular are only stored in anonymous form. Further information on data protection and Hotjar can be found in Hotjar's data protection declaration:
<https://www.hotjar.com/privacy>.

In addition, Hotjar offers the possibility to object to the processing of data by the cookie for the future by observing the "Do Not Track" function of browsers. You can find out how to activate them here:
<https://www.hotjar.com/opt-out>.

If you do not want information about your behaviour to be used by Hotjar as explained above, you can generally disable the automatic setting of cookies required for this in your browser settings.

4. PAYMENTS

4.1 We process the payment information for the purpose of payment processing, e.g. if the user purchases or uses a product and/or service via ellr.bike. Depending on the payment method, we forward the payment information to third parties (e.g. for credit card payments to the respective credit card provider).

The legal basis for this data processing is Article 6 paragraph 1 letter a), Article 6 paragraph 1 letter b), DSGVO and Article 6 paragraph 1 letter f) DSGVO.

4.2 PayPal

When paying via PayPal, the payment data will be forwarded to PayPal (Europe) S.à r.l. et Cie, S.C.A., 22-24 Boulevard Royal, L-2449 Luxembourg (hereinafter "PayPal"). PayPal reserves the right to carry out credit checks for the payment methods credit card via PayPal, direct debit via PayPal or - if offered - "purchase on account" via PayPal. PayPal uses the result of the credit assessment in relation to the statistical probability of non-payment for the purpose of deciding on the provision of the respective payment method. The credit report can contain probability values (so-called score values). If score values are included in the result of the credit report, they are based on a scientifically recognised mathematical-statistical procedure. Address data is included in the calculation of the score values. Further information regarding data protection, including the credit agencies used, can be found in PayPal's privacy policy:
<https://www.paypal.com/de/webapps/mpp/ua/privacy-full>

4.3 Further payment and subscription information

We use payment providers (e.g. Apple, Google, Adyen) to process payments. Although we do not store any credit card information ourselves, we register a payment ID, which is assigned by the respective provider and can be assigned to a person, as well as the price, currency, VAT (based on country information) and the payment provider.

5. PLUGINS AND WIDGETS FOR SOCIAL MEDIA

5.1 In the Ellr Products can be included social media plugins, such as (i) Facebook, 1601 South California Avenue, Palo Alto, CA 94304, USA; (ii) Google +, 1600 Amphitheatre Parkway, Mountain View, CA 94043; (iii) Twitter, 1355 Market Street, Suite 900, San Francisco, CA 94103, USA; (iv) WhatsApp, WhatsApp Inc., 650 Castro Street, Suite 120-219, Mountain View, CA 94041, USA.

5.2 Such plugins can recognize a user's IP address and the page visited on the ellr.bike platform and, possibly, store cookies, so that the services offered by Ellr work properly. Social media plugins and widgets are hosted either by third party providers or directly by us. Your interactions with these plugins are subject to this privacy policy or the privacy policy of any third party that offers such feature. Ellr is not responsible for the use of, or guidelines regarding the use of, personal data by third party providers.

5.3 Users may recognize the respective plugins, e.g., by the respective logo or other respective characteristic typical for the respective social media-platform on our pages.

5.4 If a user interacts with the plugins, e.g. by clicking on the Facebook "Like-Button" or entering a comment, while being logged in to such user's Social Media-account on Facebook, a user links the contents of the Ellr pages to his or her respective social media-profile. Thereby, Facebook can associate a user's visit of the Ellr page or use of Ellr Products with such user's social media-account. Ellr as the provider of the Ellr Products does not have any knowledge of the content of the transmitted data or its usage by Facebook. Users can also share finished activities via Whatsapp. Users can find more information on the issue of data transmission in the privacy policy of the respective social media-platform:

- Facebook: <http://www.facebook.com/about/privacy/>
- Whatsapp: <https://www.whatsapp.com/legal/?l=en#privacy-policy>

5.5 If users do not want to have the respective social media-platform associate their visits on our site with their social media-account, users must log out from their social media-account.

6. COOKIES

6.1 General. Several areas of the Ellr website use 'cookies' — small text files that are placed on the user's computer and stored by the browser. They are used by Ellr to provide a more user-friendly, effective and secure service. Cookies also enable Ellr to identify a user's browser and offer services to such user. Cookies do not contain any personally identifiable information.

6.2 Installation. You can prevent the installation of cookies by entering the corresponding settings in your browser software. However, please note that in this case you may not be able to use the complete range of functions of the ellr.bike platform to its full extent.

7. GOOGLE ANALYTICS AND APP ANALYTICS

7.1 The Ellr Products use Google Analytics, a web analysis service by Google Inc. ("Google"). Google Analytics uses 'cookies' (see Section 6, above). The information about your visit collected by the cookies, including your IP address, is usually transferred to a Google server in the USA and saved there. To the extent that the Ellr Products have activated IP anonymization, Google first abbreviates your IP address within member states of the European Union or in other signatory states of the Agreement on the European Economic Area. Only in exceptional cases, will the full IP address be transferred to a Google server in the USA or Asia and abbreviated there. Google will use the information collected on behalf of the website operator to evaluate your use of the Ellr Products, to compile reports about your activities within the Ellr Products, and to provide further services to Ellr related to use of the Ellr Products and internet use. Google will under no circumstances associate the IP address transmitted by your browser within the operations of Google Analytics with other Google data.

7.2 You can prevent the data related to your use of the Ellr platform, including your IP address, generated by the cookies from being recorded by Google and Google's processing of this data by downloading and installing the browser plugin from the following link: <https://tools.google.com/dlpage/gaoptout?hl=en>.

7.3 Furthermore, you can prevent the future data capture by setting an opt out-cookie via the following link: Deactivate Google Analytics Further information regarding terms of use and privacy provisions may be found on the websites <http://www.google.com/analytics/terms/us.html> and <https://www.google.de/intl/en/policies/>. The Ellr Products expanded the Google Analytics-Service with the "anonymizeIP"-code to anonymize the user's IP address.

7.4 The Ellr Products use Google DoubleClick for Publishers ("DFP"). DFP uses cookies to provide the user with user-relevant advertisements – further information may be found at https://support.google.com/dfp_premium/answer/2839090?hl=en. The user may disable the DFP's cookie placement and the placement of user-relevant advertisements for use of the Ellr platform via the website: <http://www.google.com/ads/preferences>.

8. CHANGES TO PRIVACY POLICY

8.1. Changes to this Privacy Policy require the consent of the respective user, to whom the changed Privacy Policy shall apply. If Ellr intends to implement such changes, it will give the user as much prior notice of such changes as possible. Such notice shall be made on the relevant pages of the ellr.bike platform or on any other device through which the user accesses the Ellr Products. Any such modifications will take effect within thirty days of publication. This policy was last modified on 27/07/2018.

9. DELETION OF USER INFORMATION

9.1 In case of a termination of the Registered User's account

9.1.1 All personal details provided by the user upon registration shall be deactivated. Any details made public by the user, e.g., routes, photos, will be (i) anonymized, i.e., it will be made clear that such details were provided by a deleted user, or (ii) deleted, in the event of cancellation, within thirty days; and

9.1.2 Upon the Registered User's request, all User Information not required for Ellr's performance of contractual obligations or compliance with statutory retention obligations, shall be irrevocably deleted. The user shall request such deletion by email sent to admin@ellr.bike, which shall include the email address provided to Ellr upon registration. Ellr will comply with such requests within ten days and maintain a record of the deletion for one year after the deletion.

10. YOUR CONSENT

10.1 By using our site as a non-registered user, you consent to our privacy policy only for those areas not subject to registration. Please also visit our Terms and Conditions section establishing the use, disclaimers, and limitations of liability governing the use of our website and apps <http://www.ellr.bike/agb>.

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