

PRIVACY AND „COOKIES” POLICY OF THE PORTAL WWW. BUMBUMENERGY.EU

This Privacy Policy (“Privacy Policy”) sets out how XL Energy Marketing sp. z o.o., with its registered office at ul. Złota 59, 00-120 Warsaw, Poland, collects, processes and uses information concerning Users and Distributors.

All capitalised terms used in this Privacy Policy shall have the meanings assigned to them in the Regulations for the provision of electronic services by XL Energy Marketing sp. z o.o. (hereinafter referred to as the “Regulations”), unless otherwise specified herein.

1. The Service Provider processes the following data relating to Users: the IP address of the device used to access the Portal, the type of internet browser and the type of operating system used on the User’s device.

This information may be used to determine the number of visits to the Portal, the average time spent on the Portal and similar statistics. The Service Provider uses this information to analyse and improve the content and functionality of the Portal.

2. A User interested in cooperating with the Service Provider as a distributor of its products may complete a form available on the Portal and provide the following information: name and surname, company name, telephone number, e-mail address, business address and, in the case of natural persons conducting business activity, countries of operation, market share in a particular country, number of employees, business model (distributor, agent or seller), professional experience in the sale of energy drinks, number of brands in the portfolio and distribution structure.

3. All information specified in point 2 above, to the extent that it relates to an identified or identifiable natural person, as well as the Distributor’s e-mail address, shall hereinafter be jointly referred to as “Personal Data”.

4. The Controller of the Personal Data is XL Energy Marketing sp. z o.o., with its registered office at ul. Złota 59, 00-120 Warsaw, Poland (the “Controller”).

5. Personal Data is processed by the Controller for the purposes of contacting the User, providing electronic services, taking steps related to the conclusion and performance of distribution agreements or other commercial contracts, archiving, as well as for marketing purposes.

6. Personal Data may be processed on the basis of the User’s acceptance of the Regulations, where applicable, the User’s consent to the processing of Personal Data for the purpose of receiving a commercial offer, or the Controller’s legitimate interests, such as establishing, pursuing or defending legal claims or ensuring the security and proper functioning of the Portal.

7. Providing Personal Data is voluntary; however, it may be necessary in order to use certain services, process a request for cooperation, enter into a contract or perform a contract.

Personal Data may be accessed by authorised employees and other authorised persons responsible for handling Users, as well as by entities providing services to the Controller, such as accounting,

IT or technical service providers.

Personal Data is stored for the period necessary to fulfil the purposes for which it was collected, including the conclusion and performance of contracts. After this period, Personal Data may continue to be processed where this is necessary to comply with the Controller's legal obligations, for example obligations relating to the retention of accounting documents, or on the basis of the Controller's legitimate interests, including the establishment, pursuit or defence of legal claims.

8. The User has the right to access their Personal Data and, where applicable, to request its rectification, erasure or portability, as well as to request restriction of processing and to object to the processing of Personal Data.

Where Personal Data is processed on the basis of consent, the User has the right to withdraw their consent at any time, without affecting the lawfulness of processing carried out on the basis of consent before its withdrawal.

Each person whose Personal Data is processed also has the right to lodge a complaint with the competent data protection supervisory authority.

9. The User may exercise the rights referred to in point 8 by contacting the Controller at the following e-mail address: iodo@xl-energy.com

10. The Portal uses "cookies", i.e. small text files stored on the User's device when using the Portal. Information collected through cookies may be used to adapt the services and content offered through the Portal, analyse the use of the Portal and compile general statistics concerning its use. When the User's browser reconnects with the Portal, cookies may allow the Portal to recognise the User's device or browser. Depending on the type of cookie used, the information collected may include the IP address, browser type, language, operating system, Internet service provider, date and time information, approximate location and information concerning the User's interaction with the Portal.

11. The Portal may use both session cookies and persistent cookies.

Session cookies are generally removed from the User's device after the browser session ends. Persistent cookies remain on the User's device for a specified period or until they are deleted and may allow the User's browser or device to be recognised during subsequent visits to the Portal.

12. Cookies and similar technologies may be used to adapt the content of the Portal to the User's preferences and needs, remember selected preferences, analyse the use of the Portal and optimise its operation.

Where permitted by applicable law, cookies and similar technologies may also be used to measure the effectiveness of advertising activities and to tailor advertising to Users.

The information collected through cookies is used for the purposes described in this Privacy Policy and in accordance with applicable law.

13. Internet browsers may allow cookies to be stored on the User's device by default. Users may change their browser settings concerning cookies at any time, including by blocking or deleting cookies.

Detailed information concerning the management of cookies is available in the settings or help section of the User's internet browser.

Where consent is required by applicable law for the use of particular cookies or similar technologies, such technologies will be used subject to the applicable consent requirements.

14. When processing Personal Data, the Controller applies appropriate technical and organisational measures designed to protect Personal Data against unauthorised access, accidental or unlawful loss, destruction, alteration or disclosure, as well as against malicious software and other security threats.

15. Use of Personal Data for advertising and marketing optimisation

The Controller may use Personal Data provided directly by Users, including contact details such as e-mail address and telephone number, for the purposes of measuring and optimising advertising activities and, where permitted by applicable law, creating or using customer audience segments in advertising platforms such as Google Ads.

For these purposes, selected Personal Data may be provided to Google or other advertising service providers acting in accordance with their applicable data processing terms. Depending on the advertising service used, contact information may be transformed using a cryptographic hashing mechanism before or during its transmission to the advertising platform and may be used to match the User with an account maintained by the relevant advertising provider.

The Controller uses Personal Data for advertising, audience matching and marketing optimisation only where an appropriate legal basis exists and, where required by applicable law, after obtaining the User's consent.

Further information concerning Google's processing of data in connection with its advertising services is available in Google's applicable privacy information and advertising policies.