

# Privacy Policy

Smartass built the Smartass app (the Service) as a Free app. This Service is provided by Smartass at no cost and is intended for use “as is” and “as available”.

This page is used to inform visitors regarding our policies regarding the collection, use, and disclosure of Personal Information if anyone decided to use our Service.

If you choose to use our Service, then you agree to the collection and use of information in relation to this policy. The Personal Information that we collect is used for providing and improving the Service. We will not use or share your information with anyone except as described in this Privacy Policy. In case you decide to withdraw your consent to our use of your personal data - notice us as provided below, but be aware that in this case we may be unable to provide you with the Service or the Service itself will be blocked for you until such a consent is renewed.

## **1. Terms.**

The terms used in this Privacy Policy have the same meanings as in our Terms and Conditions, which is accessible at Smartass website unless otherwise defined in this Privacy Policy.

“Personal data” or “personal information” is as defined in the General Data Protection Regulation 2018 and any successor legislation, which includes any information which, either alone or in combination with other information we hold about you, identifies you as an individual, including, for example, your name, email address. We need certain personal data in order to provide you with access to our Service. To process your personal data as outlined below, we rely on the following legal bases:

***Contractual Performance:*** The primary reason we process your personal data is to perform the contract that you have with us by having your registration as the Service user. For example, as you use our Service, we use your personal data to provide your Account.

***Legitimate Interests:*** We may also use your personal data where we have legitimate interests to do so. For instance, we review users’ actions while using our Service to improve our Service and we process personal data for administrative, fraud detection and other legal purposes.

***Consent:*** We may also ask for your consent to use your personal data for specific reasons. You may withdraw your consent at any time by contacting us as set out at the end of this Policy.

## **2. Information Collection and Use**

For a better experience, while using our Service, we may require you to provide us with certain personally identifiable information, including your:

- Name and last name,
- Email address,
- phone number,
- Contact list from the cell (mobile) phone you install the Service on.

The information that we request will be retained by us and used as described in this privacy policy. We consider it granted that you have a permission to own, keep and share such information we collect from you (here we mean, for instance, the contact list from your device and / or email address that in some cases may be used not by you exclusively).

**Such personal information of yours is intended to be used as follows:**

**- *Sharing information with third parties.***

The Service does use third party services that may collect information used to identify you. Here are some links to the privacy policy of third party service providers used by the Service as we are not responsible for the provisions of their terms and policies but such terms and policies may differ from ours.

- [Google Play Services](#)

**- *Information collected automatically (Log Data)***

When you use the Service, our servers automatically record your log data which is the information that your browser sends whenever you visit a website as well as your personal data. This data includes but is not limited to: device OS and version, device model (as well as unique device identifier), IP addresses, browser type, referral URL's, language information, the domain from which you are visiting, Service signup date, last payment date and first subscription date, WiFi information such as SSID, advertising identifier, requested and referring URLs and additional information in respect to your usage and browsing of the Site. This personal data allows us to diagnose bugs as well as detect fraud. We may also receive location data passed to us from third-party services or GPS-enabled devices that you have set up, which we use to show you local information. This personal data also allows us to send notifications.

**- *Cookies***

Cookies are files with a small amount of data that are commonly used as anonymous unique identifiers. These are sent to your browser from the websites that you visit and are stored on your device's internal memory.

This Service does not use these "cookies" explicitly. However, the app may use third party code and libraries that use "cookies" to collect information and improve their services. You have the option to either accept or refuse these cookies and know when a cookie is being sent to your device. If you choose to refuse our cookies, you may not be able to use some portions of this Service.

**- *Service Providers***

We may employ third-party companies and individuals due to the following reasons:

- To facilitate our Service;
- To provide the Service on our behalf;
- To perform Service-related services; or

- To assist us in analyzing how our Service is used.

We want to inform users of this Service that these third parties have access to your Personal Information. The reason is to perform the tasks assigned to them on our behalf. However, they are obligated not to disclose or use the information for any other purpose.

- ***Personal data compilation and storage***

Personal information about the Service users and contact lists from the devices they install the Service on, will be collected and compiled into a single database of contacts to be controlled and administered by us. The database compiled will be stored on our servers, which can be located in another state, than the state of your or our residence, governing the rules of personal data protection in some other manner, but nevertheless we shall do our best to keep your personal data stored appropriately and in accordance with the rules, described here. We may however assign the third parties with the rights to operate the abovementioned database, provided that such third parties are obliged to keep secrecy and confidentiality of the same level as we do.

- ***Third-party payment processor***

We use a third party payment processor to process payments made to us. In connection with the processing of such payments, we do not retain any personally identifiable information or any financial information such as, inter alia, credit card numbers. Rather, all such information is provided by you directly to our third party processor, Fondy. You can read more about their policies at: <https://fondy.ua/uk/legal/>.

We draw your attention to the fact, that if you initiate a transaction through the Service, such as a purchase, payment processor may collect and store information about you, such as your name, phone number, address, email, and payment information (such as a credit card number and expiration date), as well as any other information as the case may be, in order to process your transaction, send communications about them to you, and even populate forms for future transactions. This information may be shared with third parties for the payment operating and processing purposes.

In any case we hereby encourage you to keep your payment information in strict confidence and not to share it with any persons (including other Service users, your children and relatives) except for with payment processors for the purpose of making purchase you independently have decided to make at your own discretion and will – so that any purchase you make through the Service is considered as made by you personally and willingly.

### **3. Security**

We value your trust in providing us your Personal Information. We use various safeguards to protect the personal information submitted to us, both during transmission and once we receive it. For example, for the administrative issues we use a two factor authentication; and in case of user account security we use logging-in via password, sent by sms.

However, no method of transmission over the Internet or via a mobile device, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security. We may suspend your use of all or part of the Service without notice if we suspect or detect any breach of security. If you believe that your Account or personal data is no longer secure, please notify us immediately at the contact information set out below.

#### **4. Communications**

When you sign up for a Service or use certain features, you are opting to receive messages from us. You cannot opt out of receiving certain administrative, transactional, or legal messages from us. Please note that in case you opt out you may miss some important notification from us and hence you relieve us from any liability related to such notification delivery or non-delivery. We may also track your actions in response to the messages you receive from us or through the Service, such as whether you deleted, opened, or forwarded such messages. We may not deliver messages that we believe are objectionable, such as spam messages, fraudulent solicitations, or requests for some services, which can not be provided or requested through the Site. You should behave in the same way in case you want to remain the Service user and attend our sport clubs and events.

We may also store information that you provide through any communications to us (including but not limited to your comments and notes related to your training or its participants). If you are a representative, we may contact you, including by phone or email, using the contact information you provide us, which is made publicly available, or that we have on our record. Our calls with you may be monitored and recorded for quality purposes and with no additional notification.

#### **5. You should also be aware of your privacy rights.**

Such rights include the rights to:

- Opt-out from the Service or any use of your personal data.
- Review your personal data we possess.
- Update or move your information to any third party.
- File a complaint with the appropriate data protection authority if you have an issue with how we process your personal data.

#### **6. Links to Other Sites**

This Service may contain links to other sites. If you click on a third-party link, you will be directed to that site. Note that these external sites are not operated by us. Therefore, we strongly advise you to review the Privacy Policy of these websites. We have no control over and assume no responsibility for the content, privacy policies, or practices of any third-party sites or services.

#### **7. Public Content**

No public content, which is not belonging to us, is intended for posting through the Service.

#### **8. Children's Privacy**

These Services do not address anyone under the age of 13. We do not knowingly collect personally identifiable information from children under 13. In the case we discover that a child under 13 has provided us with personal information, we immediately delete this from our servers. If you are a parent or guardian and you are aware that your child has provided us with personal information, please contact us so that we will be able to do necessary actions.

#### **9. Changes to This Privacy Policy**

We may update our Privacy Policy from time to time. Thus, you are advised to review this page periodically for any changes. We will notify you of any changes by posting the new Privacy Policy on this page. These changes are effective immediately after they are posted on this page.

#### **10. Contact Us**

If you have any questions or suggestions about our Privacy Policy, do not hesitate to contact us via [i@smartass.com.ua](mailto:i@smartass.com.ua) and our privacy policy officer will contact you shortly. For your protection, we may ask you to prove your identity before we answer any requests related to the above items. Note, that we may request additional information from you to verify your identity and even reject a request for certain reasons, including if it is unlawful or if fulfilling the request will infringe a trade secret or other intellectual property or the privacy of another user.