

**MOBILEENGINE
DATA PROTECTION POLICY**

V3.1

March 1, 2024

DATA PROTECTION POLICY

Mobilengine Related Companies or referred to as **Mobilengine** include the following legal entities: Mobilengine Ltd. (1 Northumberland Avenue London, WC2N 5BW, United Kingdom), Mobilengine North America Corp (6 Liberty Square, Boston, MA 02109, USA) and Mobile Engine Kft. (Revay utca 10. 1065 Budapest, Hungary). **Mobilengine Related Companies** undertakes to comply with this Data Protection Policy.

Mobilengine securely and sensitively handles all personal data in accordance with all applicable data protection provisions, in particular the General Data Protection Regulation (GDPR) of the European Union. Personal data is all information that pertains to identified or identifiable natural persons, for example name, address, email addresses or IP addresses etc.

As a provider of Software as a Service (SaaS) products, Mobilengine primarily acts as a processor for its Subscribers (or clients) that are legal entities and are the Data controllers of their users in the Mobilengine products within the meaning of Article 4 (8) GDPR. Independently of this, Mobilengine also processes personal data under its own responsibility and thus acts as a Controller within the meaning of Article 4 (7) GDPR.

Mobilengine software solutions and Mobilengine websites shall be governed by this data protection policy. The latest version of data protection policy is available at: <http://www.mobilengine.com/gdpr>. Mobilengine reserves the right to amend this policy any time. Any amendment to this policy shall take effect once it has been published at the above address.

Mobilengine is committed to protect the personal data of its clients and partners, and deems it of the utmost importance to respect its clients' right of self-determination. Mobilengine keeps personal data confidential and takes all safety, technical and organizational measures necessary to ensure the safety of such data.

1. CONTACT DETAILS OF MOBILEENGINE RELATED COMPANIES

Mobilengine Ltd. (1 Northumberland Avenue London, WC2N 5BW, United Kingdom)
Mobilengine North America Corp (6 Liberty Square, Boston, MA 02109, USA)
Mobile Engine Kft. (Revay utca 10. 1065 Budapest, Hungary)

Please send any complain to email: support@mobilengine.com

Designated Data Protection Officer: Zsolt Pecsenye, email: zsolt.pecsenye@mobilengine.com

2. THE PURPOSE OF THE DATA PROTECTION POLICY

The purpose of this Data Processing Policy is to specify the scope of the personal data processed by Data Processor, the method of data processing, ensure the privacy of natural persons in accordance with the effective legislation and compliance with the requirements of data protection and data security, and to prevent unauthorized access to or use of personal data, modification or unauthorized disclosure of personal data.

3. DATA PROCESSING ON BEHALF OF MOBILEENGINE SUBSCRIBERS

Mobilengine processes personal data on behalf of its Subscriber clients, the controllers.

As part of Mobilengine services Mobilengine performs data processing activities for the Subscriber (or Client) based on their contract (subscription agreement, order form or license agreement) to the extent it is necessary for the provision of Mobilengine service. When using the Mobilengine Software, Subscriber becomes Data Controller regarding the data recorded in the Mobilengine Software by Subscriber and its Users. During the usage of the Mobilengine Software, Subscriber can register natural persons or legal entities as employees, agents or other parties related to Subscriber as users of Mobilengine. Subscriber can also record personal data of other Data Subjects that are not users of Mobilengine. Subscriber can record these data on the management platform of the Mobilengine Software, or on a software platform specifically developed for the relevant Subscriber, or directly requesting it from a Mobilengine employee. Subscriber can also record data automatically in the Mobilengine Software using the integration channel connecting the Mobilengine Software and the its own IT system. In such cases, the Subscriber is the exclusive Controller and Mobilengine only has a data processor role.

Subscriber as Data controller is obligated to provide comprehensive information to each of its registered Users and other Data Subjects regarding the subject, content and scope of the processing and the Users and other Data Subjects have given their consent to data processing in accordance with the legislative requirements both regarding form and content. This information and consent are the full responsibility of Subscriber. Mobilengine is not able or obliged to check the provision of this information and whether the consent is given. Subscriber takes note of the fact and acknowledges that Mobilengine shall not be held liable for any damage arising out of the failure to comply with this obligation to provide information and request consent or incomplete implementation of the obligation, and in the event of any damage, Subscriber shall release Mobilengine from any sanctions or liability to pay a compensation.

Data processing agreement (Article 28 of the GDPR): In relation to the cooperation between Mobilengine and the Subscriber, and in view of the aforesaid provisions of the Data Protection Policy, GTC and the orders, Mobilengine (acting as the data processor, referred to in this section 6.1 as the "Processor") and the Subscriber (acting as the data controller, referred to in this section 6.1 as the "Controller") hereby enter into this data processing agreement (the "Agreement"):

1. The Controller hereby retains the Processor for the purpose of processing of: (i) any data which might be included in any documents and files that the Controller uploads to the Mobilengine software, especially identification details and contact details; (ii) the following type of personal data of the Mobilengine software users, authorized by the Controller: first name, last name, company name, e-mail address, IP address and GPS location.
2. In addition, we also process information on the activities of our users in our products, in particular activity data relevant to the particular solution used by the user.
3. The processor must only act on the controller's documented instructions, unless required by law to act without such instructions;
4. The scope of data processing performed by the Processor on behalf of the Controller includes: collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
5. The Processor will be processing personal data upon the Controller's request. This Agreement shall be regarded as a request for data processing.

6. The Processor hereby represents that:
 - a. it is able to implement appropriate technical and organizational measures in order to ensure an adequate level of security which matches the risk related to personal data processing, so that such processing is compliant with GDPR and protects the rights of data subjects;
 - b. it will ensure that the individuals authorized to process personal data keep all such information confidential or are bound by a relevant statutory non-disclosure obligation;
 - c. taking into account the nature of data processing, it will (as far as possible) assist the Controller – through adequate technical and organizational measures – in meeting the obligation to address the requests of data subjects, related to the exercise of their rights;
 - d. taking into account the nature of data processing and the available information, it will assist the Controller in meeting the obligations specified in articles 32-36 of GDPR;
 - e. in case any sub-processing agreement is executed, the sub-processor will be bound by the same personal data protection obligations as specified in this Agreement, especially the obligation to ensure sufficient implementation of appropriate technical and organizational measures, so that processing is compliant with applicable laws;
7. The Controller expresses its general consent for the Processor to use the services of another data processor (sub-processing). In particular, the Controller hereby agrees for the sub-processing of the personal data covered by this Data Protection Policy and **Mobilengine Related Companies**. The Processor will notify the Controller regarding new data (sub)processors.
8. The Controller expresses its consent for the personal data to be transferred outside EEA to sub-processors with which the Processor cooperates, listed in this Data Protection Policy.
9. The processor must submit to audits and inspections. The processor must also give the controller whatever information it needs to ensure they are both meeting their Article 28 obligations. The Controller shall be entitled to conduct inspections as to whether the measures adopted by the Processor with respect to the personal data meet the requirements specified in the Agreement, exclusively upon the conditions and within the time limits pre-agreed between the Controller and the Processor. The Controller may ask the Processor to provide relevant clarifications as regards the manner of personal data processing. All costs related to the aforesaid inspections shall be covered by the Controller. If the Processor incurs any costs, the Controller shall reimburse them within 7 days of receipt of the Processor's written request, to the bank account indicated in such request.
10. The Processor shall exercise due diligence while processing the personal data.
11. The Processor undertakes to grant personal data processing authorizations to all individuals who will be processing the personal data for the purpose of performing this Agreement.
12. The processor must ensure that people processing the data are subject to a duty of confidence.
13. The Processor undertakes to ensure that the individuals authorized to process the personal data in order to perform this Agreement keep it confidential during and after their employment with the Processor.
14. In case of a personal data breach, the Processor shall promptly, yet no later than 36 hours after identification of the breach, report it to the Controller. When filing such notification, the Processor shall provide the Controller with information about:
 - a. the nature of the personal data breach, including the categories and approximate number of data subjects concerned;
 - b. the likely consequences of the personal data breach;
 - c. the measures taken or proposed to be taken by the Controller to address the personal data breach, including measures to mitigate its possible adverse effects.
15. After the completion of the services related to processing, the Processor shall promptly, yet no later than 60 days after such completion all personal data to the Controller or remove the personal data.

16. The Processor's total liability towards the Controller in relation to this Agreement, especially with respect to penalties, compensation, reimbursement of costs, etc., shall be limited to 8% of the annual net value of subscription fees due to the Processor from the Controller for the current billing cycle. The limitation specified above shall not apply to the Processor's liability which cannot be precluded under applicable laws.
17. The Agreement has been made for a definite term corresponding to the period of the Controller's use of the Mobilengine software.

Legal basis for data processing: the data processing agreement made between Data Controller and Mobilengine, indicated in clause 6.1. Subscriber as data controller determines the legal basis for data processing. Subscriber represents that the relevant personal data will be processed on the legal basis for the data processing according to the Article 6 of the GDPR.

Controlling period: Retention period of personal data is determined by Data Controller, not by Mobilengine, the Data processor.

Requesting erasure or modification of the data:

With view to the fact that based on the individual agreements concluded with the Subscribers, Mobilengine is a data processor, Data Subjects may not request rectification or erasure of the data directly from Mobilengine, since the data are processed based on the agreement made between Mobilengine and Subscriber.

Data Subjects have the right to obtain from the Subscriber (controller) the rectification of incorrect personal data or the erasure of the personal data concerning him or her without undue delay and the Subscriber (controller) shall have the obligation to erase personal data concerning the Data Subject without undue delay.

Data Subject may exercise this right by submitting his or her request to the Subscriber who shall erase or rectify the data by using the Mobilengine Software.

Subscriber (controller) may contact Mobilengine (processor) regarding these issues via the contact person indicated in the individual agreement or using the mailing address of Mobilengine specified above.

The processor must take appropriate measures to help the controller respond to requests from individuals to exercise their rights.

Taking into account the nature of processing and the information available, the processor must assist the controller in meeting its UK GDPR obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments.

4. DATA PROCESSING OF WEBSITE VISITORS AND THOSE INTERESTED IN MOBILENGINE PRODUCTS

By only visiting our website or using our products (e.g. installing our apps), without registering or providing other information, we process only the personal data that your device transfers to our servers. This includes IP addresses, technical information on the browser and operating system, the approximate place of residence and possible error messages (e.g. crash notifications).

The legal basis for this processing is for the purposes of our legitimate interests (Article 6 (1) (f) GDPR), specifically the analysis and guaranteed operation of our websites and our products.

This data is not transferred to third parties.

Providing the listed information is not a statutory requirement but is required for the operation of our website or use of our products.

5. DATA PROCESSING BY USING COOKIES AND ANALYSIS METHODS

We use our own cookies and the cookies of selected partners during website visits. In addition, we also use various tools for analysis and optimisation (e.g. web and app tracking, performance tracking) when our websites are visited and our products are used. Cookies and these optimisation/analysis tools are used only if and to the extent that your consent has been obtained, unless they are required for the functionality or guaranteed safe operation of our websites or our products.

If you have granted us your consent to do so, we also use these tools to process your IP address and technical information about your browser and operating system, the approximate place of your residence, demographic information, the source of our website visitors and activity data such as clicks and page views to improve the user experience and our range of information, and to analyse and optimise the operation of our websites and our products, including the optimisation of our marketing activities.

The legal basis for this processing is your explicit consent (Article 6 (1) (a) GDPR) and for the purposes of our legitimate interests (Article 6 (1) (f) GDPR), specifically the analysis and guaranteed operation of our websites and our products. You can partially withdraw (limit) or fully withdraw your consent to the use of cookies and the mentioned analysis tools at any time via this link.

Providing the listed data is not a statutory requirement but is, in some cases, required to provide particular functionalities of our websites or products. If this data is not provided or is partially provided, you may be unable to use or have restricted use of certain functions of our websites or our products. There are no negative consequences to refraining from providing data for optimisation and analysis purposes.

6. DATA PROCESSING IN CONJUNCTION WITH THE USE OF ADDITIONAL FUNCTIONS OF OUR WEBSITES AND PRODUCTS

If you do not only use our websites for information purposes but make use of additional functions and services that our websites and products offer (e.g. the contact form, chat, webinar) or would like to participate in information campaigns, as a rule you must provide us with additional personal data for us to process your enquiries and make the provided functions available. This typically includes information that we require to contact you, for example first name, surname, email address, telephone number and company master data. We process this data together with the data collected in connection with visiting our website and using our products, in particular the IP addresses collected and the activity data associated therewith (e.g. clicks, page call-ups, etc.). Furthermore, we process the data made available to us by transferring it to our CRM system.

The legal basis for this processing is your express consent (Article 6 (1) (a) GDPR), to take steps prior to entering into a contract or to fulfil our contractual obligations (Article 6 (1) (b) GDPR) and for the purposes of our legitimate interests (Article 6 (1) (f) GDPR), specifically the analysis and guaranteed operation of our websites and products, continuous improvement of our products and optimization of our marketing activities.

Providing the listed data is not a statutory requirement but is required to contact you and to use the provided functions of our websites and products. If this data is not provided or is partially provided, you may be unable to use certain functions of our websites and products or have limited use of these, or we may not be able to

contact you. There are no negative consequences to refraining from providing data for optimization and analysis purposes.

7. DATA PROCESSING AFTER PERSONAL CONTACT

If you contact us at trade fairs or exhibitions, for example, and provide your data to us, by handing us business cards or completing a form for example, we process the data made available to us by transferring it to our CRM system. This typically includes information that we require to contact you, for example first name, surname, email address, telephone number and company master data.

The legal basis for this processing is to take steps prior to entering into a contract (Article 6 (1) (b) GDPR) and for the purposes of our legitimate interests (Article 6 (1) (f) GDPR), specifically establishing a business relationship and maintaining our business contacts (CRM).

Providing the listed data is not legally stipulated but is required to contact you. If this data is not provided or partially provided, we may not be able to contact you and enter into a business relationship with you.

8. DATA PROCESSING OF MOBILEENGINE ACCOUNT OWNERS

If you or your company or other legal entity creates an account to use our products, we process (i) information that we assign to you as an Account Owner and require to contact you. This includes your first name, surname, email address, telephone number (ii), company master data (e.g. company name, postal address, email addresses, telephone numbers, contact person, role), (iii) information on the type and content of our contractual relationship (e.g. number, type and duration of activated licenses and information on the requested and created offers), (iv) marketing-relevant information such as industry and target group as well as information on the origin and history of accounts (e.g. responsible sales partners, date of last contact, clicked adverts).

In terms of individual users of our products who are assigned to a specific account, we process information that we require to contact and uniquely assign the user. This includes contact details such as first name, surname, email address, telephone numbers, user role and company details as well as information that we require to manage the user account (e.g. the account that the user is assigned to, license number, date on which the account was created, account type, whether the account is active/inactive).

The legal basis for this processing is to take steps prior to entering into a contract or to fulfil our contractual obligations (Article 6 (1) (b) GDPR) and for the purposes of our legitimate interests (Article 6 (1) (f) GDPR), specifically the analysis and guaranteed operation of our websites and products, continuous improvement of our products and optimization of our marketing activities.

We also process payment information of companies and legal entities that our Mobilengine clients in addition to the above-mentioned data. Payment information includes invoice recipients, invoice addresses, invoice numbers, invoice period, due date, bank details, payment conditions, contact person for invoices, VAT ID, etc. and payment history.

The legal basis for this processing is to fulfil our contractual obligations (Article 6 (1) (b) GDPR), to fulfil our legal obligations (Article 6 (1) (c) GDPR) and for the purposes of our legitimate interests (Article 6 (1) (f) GDPR), specifically the optimization of our accounting processes and for liquidity management purposes.

We specifically process the listed data by transferring it to our CRM system.

Providing the listed data is not a statutory requirement but is required to initiate, maintain and fulfil the business relationship and to meet our legal obligations. If this data is not provided or partially provided, we may not be able to conclude a contract with you or support you when you use our products.

9. DURATION OF PROCESSING, THE DEADLINE FOR THE ERASURE OF THE DATA:

In general, all personal data is only kept for as long as required for the respective purpose:

The storage duration of data from users belonging to the accounts of Subscribers is 1 year after the final termination of the Subscription contract. During the Subscription contract all data is stored and kept securely. Upon the request of Data controller, the Data processor must delete or return all personal data to the controller (at the controller's choice) at the end of the contract, and the processor must also delete existing personal data unless the law requires its storage.

The storage duration of log data on our websites is 10 years.

- We delete data that is required for processing enquiries and making contact, within 10 years of the business relationship ending or our last contact with you
- We keep data and contracts that are relevant for our accounting in compliance with company or tax law regulations, in general, this duration is for 10 years respectively

In general, we keep data stored on the basis of your consent until consent is withdrawn or the contractual relationship is complete

Data from job applicants is generally stored for 10 years. Beyond this, we only keep applicant data if consent has been given for this to be kept on file.

Data is then deleted unless such deletion, in some individual cases, conflicts with any of our legitimate interests (e.g. continued storage of data as evidence, or to establish or defend legal claims, taking into consideration the relevant applicable limitation periods).

Personal data mandatorily provided during the registration process is controlled from the date of the registration until the erasure of the data. Logged data are stored for 10 years from the date of logging. Controller shall inform Data Subject about the erasure of any personal data electronically, in accordance with Article 19 of the GDPR

10. MOBILEENGINE DECLARES THAT ITS DATA PROCESSING ACTIVITIES COMPLY WITH THE FOLLOWING PRINCIPLES.

- a) **Lawfulness, fairness and transparency:** Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject
- b) **Purpose limitation:** Personal data may only be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89 (1), not be considered to be incompatible with the initial purposes;

- c) **Accuracy:** Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- d) **Storage limitation:** Personal data shall be kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with **Article 89 (1)** subject to implementation of the appropriate technical and organizational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject;
- e) **Integrity and confidentiality:** Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures;
- f) **Possible data controllers entitled to have access to the data, the recipients of personal data:** Personal data may be controlled by the employees of Mobilengine or Mobilengine Related Companies in line with the principles specified above.
- g) **Informing the data subjects about their rights related to processing:**
- Data subject is entitled to request from the Controller erasure of personal data or restriction of processing concerning the data subject
 - and to object to processing.
 - Data Subject is entitled to withdraw his or her consent at any time.
- h) **Access to, erasure, modification of the personal data, or restriction of procession, data portability or objection to processing can be requested by Data Subject in the following manner:**
- by regular mail sent to the registered address of the company
 - via e-mail to **support@mobilengine.com**.

11. SUB-PROCESSORS, PROCESSING OF EXTERNAL SERVICE PROVIDERS

The following data processors can provide detailed information regarding the processing of the data by the servers of external service providers. In the **Mobilengine Integrated IT system** and during the operation and development of the Mobilengine Software, Mobilengine uses third-party services for server hosting, storage and other cloud-based IT services, such as BI services, report generating software, tracking of error recording, mobile application developing and operating services, data-archiving services, system monitoring services, test system services and e-mail services.

These data processors are listed below (The data processor shall only engage further sub-processors with the controller's prior authorization and under a written contract.):

HOSTING SERVICE PROVIDER

Activity performed by data processor: Hosting services

Name of data processor: Magyar Telekom Nyrt.

Address: 1519 Budapest, Pf.:434

Contact: www.telekom.hu/uzleti

The existence of processing, the scope of the data processed: All data provided by the Data Subject.

The scope of the Data Subjects: All Data Subjects using the Mobilengine Software.

Purpose of data processing: Storing the business data necessary for the operation of the Mobilengine Software.

Duration of processing, the deadline for the erasure of the data: Data controlling shall last until the termination of the agreement between data processor and the storage service provider or the request of the Data Subject submitted to Controller to erase the data.

Legal basis for data processing: Article 6 (1) f) of the GDPR and Section 13/A (3) of Act CVIII of 2001 on certain issues of electronic commerce services and information society services.

BI DASHBOARD SERVICE PROVIDER

Activity performed by data processor: statistical reports, reports, generating dashboards.

Name and contact details of data processor: Sisense

Address: 8th Floor, The Gridiron Building, One Pancras Square, London, N1C 4AG

Contact: <https://www.sisense.com/privacy-policy/>

The existence of processing, the scope of the data processed: Statistical data included in business specifications, that may include personal data suitable for identification.

The scope of the Data Subjects: All Data Subjects using the Mobilengine Software BI Dashboard.

Purpose of data processing: To provide access to and ensure smooth operation of the Mobilengine Software, generate reports, statistical reports and present the appropriate content.

Duration of processing, the deadline for the erasure of the data: Data controlling shall last until the termination of the agreement between data processor and the BI dashboard service provider or the request of the Data Subject submitted to Controller to erase the data.

Legal basis for data processing: Article 6 (1) f) of the GDPR and Section 13/A (3) of Act CVIII of 2001 on certain issues of electronic commerce services and information society services.

E-MAIL SERVICE PROVIDER

Activity performed by data processor: e-mail communication for customer service purposes and sharing files

Name and contact details of data processor: Google Ireland Limited

Address: Gordon House Barrow Street Dublin 4 Ireland

Website: <https://cloud.google.com>

The existence of processing, the scope of the data processed: All data provided by the Data Subject.

The scope of the Data Subjects: All Data Subjects using the Mobilengine Software.

Purpose of data processing: Performing activities related to sales and customer service, direct communication with the Subscriber and other communication related to providing support to Subscriber.

Duration of processing, the deadline for the erasure of the data: Data controlling shall last until the termination of the agreement between data processor and the e-mail service provider or the request of the Data Subject submitted to Controller to erase the data.

Legal basis for data processing: Article 6 (1) f) of the GDPR and Section 13/A (3) of Act CVIII of 2001 on certain issues of electronic commerce services and information society services.

12. RIGHTS OF THE DATA SUBJECTS

Right of access

You have the right to obtain from the controller confirmation as to whether or not personal data are being processed, and, where that is the case, access to the personal data and the information included in the regulation.

Right to rectification

of inaccurate personal data Taking into account the purposes of the processing, You have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to erasure

You have the right to obtain from the controller the erasure of your personal data without undue delay and the controller shall have the obligation to erase personal data without undue delay where the relevant grounds apply:

Right to be forgotten

Where the controller has made the personal data public and is obliged to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that You have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

Right to restriction of processing

You have the right to obtain from the controller restriction of processing where one of the following applies:

- You contest the accuracy of the personal data; the restriction shall apply for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and You oppose the erasure of the personal data and request the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but You require them for the establishment, exercise or defence of legal claims;

- You have objected to processing; in such case restriction shall apply for a period until it is verified whether the legitimate grounds of the controller override those of the data subject.

Right to object

You have the right to object, on grounds relating to Your particular situation, at any time to processing of Your personal data based on a legitimate interest or official authority, including profiling based on those provisions.

Objection in case of direct marketing purposes

Where personal data are processed for direct marketing purposes, You have the right to object at any time to processing of personal data for such marketing, which includes profiling to the extent that it is related to such direct marketing. If You object to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

DEADLINE FOR TAKING THE NECESSARY MEASURES

The processor shall provide information on action taken on the request above without undue delay and in any event within **2 months** of receipt of the request.

That period **may be extended by 2 further months** where necessary. The controller shall inform You of the extension of the deadline **within 2 month** of receipt of the request, together with the reasons for the delay.

If the processor does not take action on Your request, **the controller shall inform You without delay and at the latest within 2 months of receipt of the request of the reasons for not taking action** and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy.

13. DATA SECURITY

The Data processor must take appropriate measures to ensure the security of data processing.

Taking into account the state of the art and technology, the cost of implementation and the nature, the current technological capabilities of Mobilengine, the scope, context and purposes of processing as well as the risks of varying likelihood and severity for rights and freedoms of natural persons posed by the processing, the controller and the processor shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including inter alia as appropriate:

- a) encryption of personal data;
- b) the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- c) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;

- d) a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

14. CURRENTLY KNOWN TECHNICAL LIMITATIONS OF THE MOBILEENGINE SOFTWARE IN THE AREA OF DATA ERASURE AND MODIFICATION

In accordance with the provisions of GDPR, Mobilengine is committed to take into account data protection options and the possibility to erase or subsequently modify personal data in its future developments. However, due to several years of development and considering the current technology there are some limitations and restrictions in Mobilengine regarding the subsequent erasure or modification of personal data. In accordance with the provisions of GDPR, Mobilengine is also committed to reduce or resolve these restrictions within an economically rational period. Restrictions applicable within the scope of this Policy are listed below: If upon or regardless of the request of Data Subject, Subscriber or Controller requests erasure and/or modification of any data that is beyond the capacity of the current technological parameters of the Mobilengine Software, Mobilengine is able and willing to take the necessary measures related to the relevant request, exclusively based on an agency agreement and agency fee mutually agreed by Subscriber and Mobilengine according to the timing set out by such agreement.

15. COMMUNICATION OF A PERSONAL DATA BREACH TO THE DATA SUBJECT

When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, the controller shall communicate the personal data breach to the data subject without undue delay.

The communication to the data subject shall describe **in clear and plain language** the nature of the personal data breach and communicate the name and contact details of the data protection officer or other contact point where more information can be obtained; describe the likely consequences of the personal data breach; describe the measures taken or proposed to be taken by the controller to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.

The communication to the data subject shall not be required if any of the following conditions are met:

- the controller **has implemented appropriate technical and organisational protection measures**, and those measures were applied to the personal data affected by the personal data breach, in particular those that **render the personal data unintelligible** to any person who is not authorised to access it, such as encryption;
- the controller has taken subsequent measures **which ensure that the high risk to the rights and freedoms of data subjects is no longer likely to materialise**;
- **it would involve disproportionate effort**. In such a case, there shall instead be a public communication or similar measure whereby the data subjects are informed in an equally effective manner.

If the controller has not already communicated the personal data breach to the data subject, the supervisory authority, having considered the likelihood of the personal data breach resulting in a high risk, may require it to do so.

NOTIFICATION OF A PERSONAL DATA BREACH TO THE SUPERVISORY AUTHORITY

In the case of a personal data breach, the controller shall without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the supervisory authority competent in accordance with Article 55, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the supervisory authority is not made within 72 hours, it shall be accompanied by reasons for the delay.

16. MAKING A COMPLAINT

Complaints may be submitted to the Hungarian National Authority for Data Protection and Freedom of Information in case of infringement of controller.

Hungarian National Authority for Data Protection and Freedom of Information

1125 Budapest, Szilágyi Erzsébet fasor 22/C.

Mailing address: 1530 Budapest, Postafiók: 5.

Phone number: +36 -1-391-1400

E-mail: ugyfelszolgalat@naih.hu