



## PRIVACY POLICY

### Article 1. Preamble

1.1. This Privacy Policy forms an integral part of the General Regulations of the APP and, where applicable, of the Terms of Service for the Online Services so that the definitions used in these are reused in this Privacy Policy. The General Regulations of the APP and the Terms and Conditions of Online Services are accessible at the following URL address: <https://www.app.asso.fr>.

1.2. The purpose of this Privacy Policy is to inform Data Subjects about how their Personal Data is collected and processed when subscribing, registering, asking about the use of Online services, and more generally during any Service carried out by the APP, and finally about the Specific Rights from which the Data Subjects benefit with regard to these treatments.

### Article 2. Definitions

2.1. The following terms, whether used in the singular or plural in this Privacy Policy, will have the following definition:

<b>Subscription :</b>	means a Member Service subscribed annually by a Requestor and allowing him to become a Member, to access the Application and Online Services and to benefit from other Member Services;
<b>Member</b>	has the meaning given by the General Regulations;
<b>Application :</b>	has the meaning given by the Terms and Conditions of Online Services;
<b>APP :</b>	means the Agence pour la Protection des Programmes, an association governed by French law of July 1, 1901, identified by the SIREN number 385 385 844, whose head office is located at 54 rue de Paradis - 75010 Paris - FRANCE;
<b>Intermediate archiving :</b>	refers to the movement of Personal Data which is still of administrative interest for the APP (for example in the event of litigation and / or in the event of legal obligation) in a separate database, logically or physically separated and of which, in any event, access is restricted. This archive is an intermediate step before the deletion of Personal Data concerned or their anonymization
<b>Beneficiary</b>	has the meaning given by the General Regulations;
<b>Terms and Conditions of Online Services</b>	means the General Conditions of Use of Online Filing Service accessible at the URL address: <a href="https://www.app.asso.fr">https://www.app.asso.fr</a> ;

<b>Creation</b>	has the meaning given by the General Regulations;
<b>Applicant</b>	means any natural or legal person wishing to benefit from the Services, on their behalf and / or on behalf of third parties whether or not the Services are ultimately entrusted to the APP;
<b>Depositor :</b>	has the meaning given by the General Regulations;
<b>Personal Data :</b>	designate personal data of a Data Subject, within the meaning of Personal Data Regulation, collected and / or processed by the APP in the context of the Services;
<b>Specific Rights :</b>	designate the rights granted by the Regulation on Personal Data to the Data Subjects concerning the processing of their Personal Data;
<b>Deposited Elements</b>	has the meaning given by the General Regulations;
<b>Registry</b>	has the meaning given by the General Regulations;
<b>Metadata</b>	has the meaning given by the Terms and Conditions of Online Services;
<b>Data Subject</b>	designates without distinction, any person whose Personal Data is likely to be processed by the APP (Member, Beneficiary, Joint holder of rights, Applicant, judicial officer or ministerial officers (lawyer, expert, bailiff, notary, etc.) intervening within the framework of a Service, etc.);
<b>Privacy policy</b>	means this Privacy and Personal Data Protection Policy for the Data Subjects implemented by the APP;
<b>Benefits</b>	designate the services rendered by the APP, whether it is Member Services or ad hoc Services;
<b>Services to Members</b>	designate the services rendered by the APP and reserved exclusively for Members, where applicable according to specific contractual conditions, such as the Terms and Conditions of Online Services for example, it being specified that membership is a prerequisite for subscribing to these services;
<b>One-off services</b>	designate the services rendered punctually by the APP (for example, the findings of sworn agents of the APP, etc.), with the exception of Services to Members;
<b>General Regulations</b>	means the general regulations of the APP, in particular accessible online at the URL address: <a href="https://www.app.asso.fr">https://www.app.asso.fr</a> ;

<b>Personal Data Regulations</b>	means Law No. 78-17 of January 6, 1978 relating to data processing, files and freedoms, pursuant to Community Regulation of April 27, 2016 published in the Official Journal of the European Union on May 4, 2016 relating to protection individuals with regard to the processing of personal data and the free movement of such data (known as “GDPR” for General Regulations for Data Protection);
<b>Online services</b>	means the Services within the meaning of the Terms of Service for Online Services;
<b>Website</b>	means the website accessible at the URL <a href="https://www.app.asso.fr">https://www.app.asso.fr</a> including its back-office allowing the Recordings and, if necessary, its part hosted in client-server mode on the Terminal of a Member to enable him to proceed with a Registration;
<b>Terminal :</b>	designates the material equipment (computer, tablet, smartphone, telephone, etc.) used by a Relevant Person to consult or view the Website and, if necessary, make a Registration;

### **Article 3. Legal qualifications**

#### **3.1. Qualification of the APP as a data controller**

3.1.1. The APP determines the purposes and means implemented to perform the Services and must be, as such, responsible for the processing of Personal Data, it being specified that the APP can be made the recipient of Personal Data.

3.1.2. However, other people may intervene in the context of one or more treatments necessary for the performance of the Services, either as joint data controllers or as processors.

#### **3.2. Applicant's guarantees**

##### **3.2.1. Collection of Personal Data of the Persons concerned**

3.2.1.1. The Applicant is solely responsible for collecting Personal Data of the Data Subjects that he transmits directly (by communicating them) or indirectly (by giving access to elements likely to refer to them and / or contain them) to the APP for the performance of the Services.

3.2.1.2. Notwithstanding the commitments and obligations of the APP in its capacity as data controller with regard to the Services provided (cf. Article 5 and Article 8), it is in particular for the Applicant to ensure that Personal Data of the Persons concerned is:

- collected in a lawful, fair and transparent manner with regard to the Data Subject;
- collected for specific purposes (in particular the Services), explicit and legitimate, and are not further processed in a manner incompatible with these purposes;

- adequate, relevant and limited to what is necessary with regard to the purposes for which they are processed (data minimization);
- accurate and, if necessary, kept up to date;
- kept in a form allowing the identification of the Data Subjects for a period not exceeding that necessary with regard to the purposes for which they are processed;
- processed in such a way as to guarantee them appropriate security.

### **3.2.2. The performance of Services requiring the processing of Personal Data of Data Subjects**

3.2.2.1. The performance of Services by the APP necessarily calls for one or more processing (s) of Personal Data of the Applicant, and / or, if applicable, of Data Subjects, with whom the APP has no contractual relationship related to the Claimant's Service.

3.2.2.2. As such, the Applicant guarantees the APP that these Personal Data processing of these Data Subjects benefit from an adequate legal basis in accordance with the Regulations on Personal Data, that is to say that at least one of the conditions following is met:

- the Data Subject has consented to the processing of their Personal Data by the APP in the context of the provision of the Services;
- the processing is necessary for the execution of a contract to which the Data Subject is a party or for the execution of pre-contractual measures taken at the latter's request;
- the processing is necessary to comply with a legal obligation to which the Applicant is subject;
- the processing is necessary to safeguard the vital interests of the Data Subject or of another natural person;
- the processing is necessary for the performance of a task of public interest or falling within the exercise of public authority vested in the Applicant;
- the processing is necessary for the purposes of the legitimate interests pursued by the Applicant and / or by the APP and / or by a third party, unless the interests or fundamental rights and freedoms of the Data Subject prevail which require protection of Personal Data, especially when the Data Subject is a child.

3.2.2.3. The Applicant guarantees the APP that he will ensure the information of the Data Subject whose Personal Data is processed within the framework of the Services, and this in due time and in the forms required by the Regulation on Personal Data, if applicable , and with regard to the processing carried out by the APP, by making this Privacy Policy available to the Data Subject, unless:

- the provision of such information proves to be impossible or would require disproportionate efforts, or to the extent that this information would be likely to make impossible or seriously jeopardize the achievement of the objectives of the Services. In such cases, the Applicant will take appropriate measures to protect the rights and freedoms as well as the legitimate interests of Data Subjects; or if
- obtaining or communicating information is expressly provided for by Union law or the law of the Member State to which the Applicant is subject and

which provides for appropriate measures to protect the legitimate interests of the Data Subject; or if

- Personal Data must remain confidential by virtue of an obligation of secrecy regulated by Union law or the law of Member states, including a legal obligation of professional secrecy or defense secrecy.

3.2.2.4. The Applicant may in particular obtain the assistance of the APP in order to deal with requests for the exercise of Specific Rights which would be sent to it by the Data subjects whose Personal Data are used in the context of the Services. It will then be up to him to send the APP a precise and understandable request which undertakes to respond to it as soon as possible in accordance with Personal Data Regulations.

#### **Article 4. The legal bases for the processing of Personal Data related to Services to Members**

4.1. The processing is necessary for the execution of a contract to which the Member is a party or for the execution of pre-contractual measures taken at the request of the latter.

4.1.1. In accordance with Personal Data Regulations, the processing of Personal Data linked to the subscription of the Subscription and the Registrations is necessary for the execution of a contract to which the Member is a party.

4.1.2. In order to become a Member, to register, and to use the Online Services, the Member has accepted at least the General Regulations and, if applicable, the Terms and Conditions of Online Services. This document formalizes a contractual relationship between the Member and the APP, serving in particular as a legal basis for the collection and processing of Personal Data.

4.1.3. This Data is necessary for carrying out a number of processing operations related to the execution of the contractual relationship between the Member and the APP.

4.2. Processing is necessary to comply with a legal obligation to which the APP is subject.

4.2.1. The processing of Personal Data may also be necessary to comply with a legal obligation to which the APP would be subject, for example, the conservation of access logs to the Website, in accordance with decree n ° 2011-219 of February 25, 2011 relating to the conservation and communication of data allowing the identification of any person who contributed to the creation of content posted online, or even as a result of a court decision obliging him to make accessible Items Deposited.

4.3. The processing is necessary for the purposes of the legitimate interests pursued by the APP or by a third party, unless the interests or fundamental rights and freedoms of the Member prevail

4.3.1. The APP may have a legitimate interest justifying the processing of Personal Data of the Member and / or of a Data subject, such as for example the conservation of Creations as a depositary by the APP, even while the Applicant is no longer a Member and / or that the Data Subject has no or no contractual relationship with the APP, in particular in order to allow third parties to become aware of the existence of a Creation, to obtain restitution of Creations, in particular of transferring Creations to the APP account of the new Rights Holder (for example a beneficiary), allowing him to benefit from Services to Members, to maintain a homogeneous classification of the IDDN directory, etc.

4.3.2. In this case, the APP ensures that the processing in question is indeed necessary for the realization of its legitimate interest and assesses the consequences of this processing on the Applicant and, if applicable, the Data Subjects, in particular by taking account of the nature of Personal Data processed, and how it is processed.

- 4.3.3. The APP ensures that it does not ignore the interest or fundamental rights and freedoms of the Applicant and the Persons concerned by allowing them, at any time, to oppose, all or part of the processing described in this Policy. confidentiality, as to exercise their Specific Rights, and this under the conditions of Article 13 - Exercise of the Specific Rights of the Data Subjects.

## **Article 5. The purposes of the processing of Personal Data related to Services to Members and / or prospecting**

### **5.1. Subscription**

5.1.1. Personal Data of the Applicant and/or of any Data Subject is useful to the APP in order to:

- **carry out the operations relating to the management of the Applicants** concerning: the Subscription; the creation of accounts allowing to make Recordings; Recordings ; the bills ; the accounts and in particular the management of the accounts of the Members; requests for information, monitoring the relationship with Members such as carrying out satisfaction surveys, handling complaints; the selection of Members to carry out studies, surveys and tests of new services; the management of arrears and litigation; management of the loss of membership in accordance with the General Regulations.
- **carry out operations relating to prospecting:**
  - the management of technical prospecting operations (which notably includes technical operations such as standardization, enrichment and deduplication);
  - the selection of Applicants to carry out prospecting, survey and product test actions;
  - carrying out solicitation operations;
- **compiling trade statistics;**
- **organizing promotional operations;**
- **managing requests for the exercise of Specific Rights;**

### **5.2. Registry**

5.2.1. Personal Data of the Applicant and, if applicable, of any Data Subject is useful to the APP in order to allow the APP to deliver the following Services :

- **Deposit procedure including update deposit in accordance with article 5 of the General Regulations that this deposit be made by the Depositor at the head office of the APP, by registered mail with acknowledgment of receipt, by carrier or by the Online Services bias;**
- **Physical archiving of a physical medium containing one or more Creation (s);**
- **Digital archiving of a dematerialized Creation using Online Services;**
- **Right of access to Items Deposited by third parties in accordance with articles 6 and 7 of the General Regulations and APP procedures, including referral to the APP Access Commission;**
- **Right of access relating to the identity of the Applicants and / or the Beneficiaries in accordance with article 8 of the General Regulations;**

- **Management of Deposited Elements and in particular the maintenance of the registers relating thereto in order to identify the Deposited Elements, the Holders of intellectual property rights in the Creations and the Persons accessing the Deposited Elements.**

### 5.3. Online Services

5.3.1. Personal Data of the Applicant and, if applicable, of any Data Subject is useful to the APP in order to allow the APP to deliver the following Services:

- **The performance of some of the Member Services mentioned above (cf. Articles 5.1 and 5.2) from the Online Services;**
- **Access and use of the Application within the limits of the Terms and Conditions of the Online Services;**
- **Technical assistance and maintenance of the Application within the limits of the Terms and Conditions of the Online Services;**
- **Collection, processing and storage of Metadata;**
- **The traceability of operations carried out from the Application in accordance with the Terms and Conditions of the Online Services;**
- **The purchase of credits, if any, made from the Application in accordance with the Terms of Service of the Online Services;**
- **The exercise of the Specific Rights of the Persons concerned.**

## **Article 6. Collection of Personal Data in the context of Services to Members**

### 6.1. Subscription

6.1.1. Personal Data likely to be collected and processed by the APP is:

- a) The identity of the Member and / or the third-party payer: title, surname, first names, address, telephone number (landline and / or mobile), fax number, e-mail addresses, function, registration number at a register, VAT number (in particular intra-Community) and internal processing code allowing the identification of the Data Subject;
- b) Data relating to means of payment: bank identity statement, SEPA direct debit mandate, payment identifier (in particular associated with a bank account);
- c) Data relating to the Subscription and to any transaction carried out by the Member or the third-party payer such as the number of the transaction, the details of the purchase, the subscription, the good or the service subscribed;
- d) Data relating to the monitoring of the commercial relationship: requests for documentation, service or subscription purchased, quantity, amount, frequency, billing address, history of purchases and services, correspondence with the Applicant and after-sales service, exchanges and comments from Applicants and prospects, person (s) in charge of customer relations;
- e) Data relating to payment of invoices: terms of payment, discounts granted, receipts, balances and unpaid amounts;
- f) Data necessary for carrying out loyalty, prospecting, study, survey and promotion actions;
- g) Data relating to the organization of promotional operations;

h) Data relating to the contributions of persons who submit opinions on products, services or content, in particular their pseudonym

6.1.2. Personal Data is kept by the APP for the duration of subscription to at least one Service to Members then for a period of three (3) years on an active basis and two (2) years in Intermediate Archiving, before anonymization if necessary .

6.1.3. The APP can always keep all or part of this Personal Data for a longer period, depending on its legal obligations (for example, the obligation to keep invoices issued for a period of ten years in accordance with article L. 123-22 of the French Commercial Code or the obligation to keep certain documents in the event of (pre) litigation to which the APP would be (in) directly concerned) or, depending on its contractual obligations, in particular in the context of a Registration.

## 6.2. Registry

6.2.1. The Personal Data likely to be collected - in addition to those already collected when subscribing to the Subscription - and / or processed by the APP as part of a Registration made, including from the Online Services are:

a) The identity of the Applicant for a Registration: title, surname, first names, address, telephone number (landline and / or mobile), fax number, e-mail addresses, registration number in a register, VAT number (in particular, intra-Community) and internal processing code allowing the identification of the Data Subject.

b) The identity of the Registration Holder (s): title, surname, first names, address, date of birth, registration number in a register, VAT number (in particular, intra-Community) and, the if applicable, the internal processing code allowing the identification of the Data Subject.

c) The identity of the Data Subjects who can access these Recordings: name, first names, function, address, e-mail addresses and, where applicable, the internal processing code allowing the identification of the Data Subject.

c) Personal Data included in the Deposited Elements;

d) Personal Data making it possible to identify, even indirectly, the Deposited Elements such as the IDD number and the Metadata;

e) Traces related to the use of the Online Services and relating to Recordings in accordance with article 10 of the CGU of the Online Services.

6.2.2. Personal Data, as referred to in paragraph 6.2.1, is kept by the APP for the entire duration of subscription to at least one Service to Members, then, according to the legitimate interest of the APP, all or part of these Personal Data may be kept for an additional period up to the duration of protection granted to authors of intellectual works within the meaning of the Intellectual Property Code by French laws and regulations.

6.2.3. An Applicant enjoying the necessary rights may request the deletion of the Deposited Elements and starting from Personal Data contained therein, subject, if necessary, to the performance of an Intermediate Archiving.

6.2.4. The Data Subject has the right to exercise their Specific Rights relating to this processing under the conditions of Article 13 of this Privacy Policy.

## 6.3. Online Services

6.3.1. Personal Data likely to be collected - if it has not already been collected when subscribing to the Subscription or as part of a Registration using the Online Services - and, in any event, processed by the APP is:



a) The identity of the Data Subjects who can access the Online Services (in particular by managing the roles performed by an authorized administrator) and, in particular, the identifiers of the Data Subject;

b) Traces related to the use of the Online Services and not relating to Recordings in accordance with article 10 of the Terms of Service for the Online Services.

6.3.2. Personal Data linked to the use of the Online Services is kept by the APP for the entire duration of subscription to at least one Service to Members or throughout the duration of use of the Online Services (the longest duration being retained ) then for a period of three (3) years in active base and two (2) years in Intermediate Archiving, before anonymization. It is however specified that Personal Data of the Joint Owners can be treated under the conditions and for the durations indicated in this article.

## **Article 7. Legal bases for the processing of Personal Data linked to specific services of the APP**

7.1. Processing is necessary for the execution of a contract to which the Claimant is a party or for the execution of pre-contractual measures taken at the request of the latter.

7.1.1. In accordance with Personal Data Regulations, the processing of Personal Data linked to ad hoc Services of the APP is necessary for the execution of a contract to which the Applicant is a party.

7.1.2. In order for the APP to perform ad hoc Services, the Applicant has accepted at a minimum a quote, or an order form, if necessary by e-mail exchange. This document formalizes a contractual relationship between the Applicant and the APP, serving in particular as a legal basis for the collection and processing of Personal Data.

7.1.3. This Data is necessary for the performance of a number of processing operations related to the execution of the contractual relationship between the Requestor and the APP.

7.2. Processing is necessary to comply with a legal obligation to which the APP is subject.

7.2.1. The processing of Personal Data may also be necessary for compliance with a legal obligation to which the APP would be subject, for example a court decision obliging it to perform Services for which Personal Data must be collected and processed.

## **Article 8. Purposes of the processing related to Punctual Services of the APP**

8.1.1. The Personal Data of the Applicant and, if applicable, of any Data Subject are useful to the APP in order to:

• **carry out operations relating to the management of Applicants concerning:** requests for information; the contracts ; the performance of ad hoc Services; the bills ; accountability ; monitoring customer relations such as conducting satisfaction surveys, managing complaints and after-sales service; the selection of Applicants to carry out studies, surveys and tests relating to services; the management of arrears and litigation;

• **carry out operations relating to prospecting:**

- the management of technical prospecting operations (which notably includes technical operations such as standardization, enrichment and deduplication);
- the selection of people to carry out prospecting, polling, testing and promotion actions;
- the updating of its prospecting files by the organization in charge of managing the list of objections to telephone canvassing, in application of the provisions of the Consumer Code; carrying out solicitation operations;
- carrying out solicitation operations.

- the development of trade statistics;
- the organization of promotional operations;
- the management of requests for the exercise of Specific Rights.

## **Article 9. Collection of Personal Data in the context of ad hoc services**

9.1. Personal Data likely to be collected and processed by the APP is:

- a) the identity of the Applicant: title, surname, first names, address, telephone number (landline and / or mobile), fax number, e-mail addresses, registration number in a register, VAT number (in particular intra-community) and internal processing code allowing the identification of the Applicant. A copy of an identity document may be kept for the purpose of proof of the exercise of a Specific Right or to meet a legal obligation;
- b) data relating to means of payment: statement of postal or bank identity, check number.
- c) data relating to the transaction such as the number of the transaction, the detail of the purchase, of the subscribed Service;
- e) data relating to the monitoring of the commercial relationship: requests for documentation, history of ad hoc services, correspondence with the Applicant; and after-sales service, exchanges and comments from customers and prospects, person (s) in charge of customer relations;
- f) data relating to the payment of invoices: terms of payment, discounts granted, receipts, balances and unpaid amounts;
- g) data necessary for carrying out loyalty, prospecting, study and survey actions;
- h) data necessary for the performance of ad hoc Services: Personal Data of the Data Subjects collected by the performance of the ad hoc Service subscribed, location of the performance of ad hoc Services; correspondence with the Applicant and / or any other Data Subject who would be concerned, directly or not, by the realization of the Specific Service.

## **Article 10. Categories of recipients**

- 10.1. To enable the APP to perform the Services, the APP may call on the services of subcontractors with which it undertakes to contract in accordance with Personal Data Regulations.
- 10.2. The APP uses the technology of the company INGENICO in order to secure banking transactions. Thus, during payment, the bank details are transmitted encrypted to the company INGENICO, without the APP being able to read them.
- 10.3. As such, the APP does not collect either the full number of the bank card or its cryptogram. To exercise their rights as identified in article 12, relating to their bank card details, the Applicant is invited to contact INGENICO directly.
- 10.4. In the event that a transfer of Personal Data to a recipient located in a country which is not located in the territory of the EEA and which has not been the subject of an adequacy decision by the Commission European (like Switzerland), the APP undertakes to take all appropriate guarantees to ensure its perfect legality, by ensuring that the Persons concerned have opposable rights and legal remedies against the recipient and to obtain the prior and specific consent of the Person concerned to said transfer of Personal Data if this proves essential.
- 10.5. The APP will not collect the prior and specific consent of the Data Subject to the transfer of their Personal Data if:
- 10.6. The APP ensures:

- to conclude with the recipient of Personal Data standard contractual clauses proposed by the European Commission; or
- that the recipient of Personal Data is subject to the principles of the privacy shield (for transfers to the United States); or
- to take all appropriate measures to make the transfer of Personal Data outside the territory of the European Union lawful, in accordance with Personal Data Regulations.

or if said transfer is necessary:

- compliance with obligations to ensure the establishment, exercise or defense of a legal claim;
- the execution of a contract between the APP and the recipient taken at the request of the Data Subject;
- the conclusion or execution of a contract concluded or to be concluded, in the interest of the data subject, between the APP and the recipient.

## **Article 11. Storage of Personal Data**

11.1. All precautions have been taken to store Personal Data of the Data Subjects in a secure environment and to prevent it from being distorted, damaged or from unauthorized third parties having access to it. The information transmitted by the care of the Persons concerned will never be transmitted to third parties for a commercial purpose, neither sold nor exchanged.

## **Article 12. Specific Rights**

12.1. In accordance with the Regulations on Personal Data, each Data Subject may, at any time, benefit from the following Specific Rights:

- Permission to access ;
- Right of rectification;
- Right to erasure;
- Right to limit processing;
- Right to data portability;
- Right to object;
- Post-mortem directives,

### 12.2. Access Rights

12.2.1. The Data Subject has the possibility of obtaining from the APP confirmation that Personal Data concerning them are or are not processed and, when they are, access to said Personal Data as well as the following information:

- a) the purposes of the processing;
- b) the categories of Personal Data;
- c) the recipients or categories of recipients to whom Personal Data have been or will be communicated;
- d) when possible, the envisaged period of retention of Personal Data or, when this is not possible, the criteria used to determine this period;
- e) the existence of the right to request from the APP the rectification or erasure of Personal Data, or a limitation of the processing of its Personal Data, or the right to oppose this processing;
- f) the right to lodge a complaint with the supervisory authority regarding personal data (in France, the CNIL);
- g) when Personal Data is not collected from the Data Subject, any available information as to its source;

- h) the existence of automated decision-making, including profiling, and, at least in such cases, useful information concerning the underlying logic, as well as the importance and the expected consequences of this processing for the Concerned person ;  
Lorsque les Données Personnelles sont transférées vers un pays tiers ou à une organisation internationale, la Personne Concernée a le droit d'être informée des garanties appropriées, en ce qui concerne ce transfert.

12.2.2. The APP provides a copy of Personal Data being processed.

12.2.3. The APP may require the payment of reasonable fees based on administrative costs for any additional copy requested by the Data Subject or in the event of a request for the transmission of Personal Data on paper and / or physical medium.

12.2.4. When the Data Subject submits his request electronically, the information is provided in a commonly used electronic form, unless he requests otherwise.

12.2.5. The right of the Data Subject to obtain a copy of their Personal Data must not infringe the rights and freedoms of others.

### 12.3. Right to rectification

12.3.1. The Data Subject has the possibility of obtaining from the APP, as soon as possible, the rectification of Personal Data concerning him which is inaccurate. It also has the possibility of obtaining the completion of incomplete Personal Data, including by providing an additional declaration.

### 12.4. Right to erasure

12.4.1. The Data Subject has the possibility of obtaining from the APP the erasure, as soon as possible, of Personal Data concerning them when one of the following reasons applies:

- a) Personal Data is no longer necessary for the purposes for which it was collected or otherwise processed by the APP;
- b) The Data Subject has withdrawn their consent to the processing of their Personal Data and there is no other legal basis for the processing;
- c) The Data Subject exercises his right of opposition under the conditions recalled below and there are no compelling legitimate grounds for the processing;
- d) Personal Data has been subject to unlawful processing;
- e) Personal Data must be erased to comply with a legal obligation;
- f) Personal Data has been collected from a child.

### 12.5. Right to limitation

12.5.1. The Data Subject has the possibility of obtaining from the APP the limitation of the processing of his Personal Data when one of the following reasons applies:

- a) The APP verifies the accuracy of Personal Data following the disputed by the Data Subject the accuracy of Personal Data,
- b) The processing is unlawful and the Data Subject opposes the erasure of Personal Data and instead requires the limitation of their use;
- c) The APP no longer needs Personal Data for the purposes of processing, but these are still necessary for the Data Subject for the establishment, exercise or defense of legal claims;

d) The Data Subject objected to the processing under the conditions recalled below and the APP verifies whether the legitimate grounds pursued prevail over the alleged grounds.

#### 12.6. Right to Data portability

12.6.1. The Data Subject has the possibility of receiving Personal Data concerning them in the APP, in a structured, commonly used and machine-readable format when:

- a) The processing of Personal Data is based on consent, or on a contract; and
- b) The processing is carried out using automated processes.

12.6.2. When the Data Subject exercises their right to portability, they have the right to obtain that Personal Data be transmitted directly by the APP to another data controller, whom they designate when technically possible.

12.6.3. The right to the portability of Personal Data of the Data Subject must not infringe the rights and freedoms of others.

#### 12.7. Right to object

12.7.1. The Data Subject may object at any time, for reasons relating to their particular situation, to the processing of Personal Data concerning them based on the legitimate interest of the APP. The APP will then no longer process Personal Data, unless it demonstrates that there are compelling and legitimate grounds for the processing which prevail over the interests and rights and freedoms of the Data Subject, or may keep them for the establishment, exercise or defense of legal claims.

#### 12.8. Post-mortem guidelines

12.8.1. The Data Subject has the possibility of communicating to the APP directives relating to the conservation, erasure and communication of his Personal Data after his death, which directives can also be registered with "a trusted third party certified". These directives, or sort of "digital will", can designate a person responsible for their execution; otherwise, the heirs of the Data Subject will be designated.

12.8.2. In the absence of any directive, the heirs of the Data Subject may apply to the APP in order to:

- access Personal Data processing allowing "the organization and the settlement of the deceased's estate";
- receive communication of "digital goods" or "data similar to family memories, transmissible to heirs";
- have the Affected Data Subject's account closed on the Website and oppose the further processing of their Personal Data.

12.8.3. In any case, the Data Subject has the possibility of indicating to the APP, at any time, that he does not wish, in the event of death, that his Personal Data be communicated to a third party.

### **Article 13. Exercise of the Specific Rights of the Data Subjects**

13.1. These Specific Rights may be exercised at any time by sending an email to the following address: [app@app.asso.fr](mailto:app@app.asso.fr) or by completing the contact form available on the Website.

13.2. For the purpose of asserting their Specific Rights under the conditions referred to above, the Data Subject proves their identity by any means unless they exercise their Specific Rights from their personal account via the Online Services.

- 13.3. When the APP has reasonable doubts as to the identity of the person making the request for the exercise of a Specific Right, the APP may request additional information appearing necessary, including, when the situation requires a photocopy of an identity document bearing the signature of the holder.
- 13.4. A response will be sent to the Data Subject within a maximum of one (1) month following the date of receipt of the request.
- 13.5. If necessary, this period may be extended by two (2) months by the APP, which will alert the Data Subject, given the complexity and / or the number of requests.
- 13.6. In the event of a request from the Data Subject to delete their Personal Data and / or in the event of the exercise of their right to request the erasure of their Personal Data, the APP may however keep them in the form of Intermediate Archiving, and this for the time necessary to meet its legal obligations, or for probative purposes during the applicable limitation period.
- 13.7. The Data Subject may also file a complaint with the competent supervisory authority (in France, this is the CNIL).