

## Reply Challenges Platform Privacy Notice

Pursuant to article 13 of the *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data* (hereinafter “GDPR”), this Privacy Notice is issued to Data Subjects who wish to register on the platform accessible at the URL: [challenges.reply.com](https://challenges.reply.com) (hereinafter, “**Platform**”).

Provided that the registration to the Platform is free (subject to the necessary connection to the Internet with normal tariff plan), the Platform aims to allow Registered Users to test their skills in Information Technology (e.g., software programming, problem solving, etc.) or in the Digital Content (e.g., digital marketing, digital advertising, digital media, social media, etc.), individually or in teams, both through the section called Training Area and to demonstrate them during a Challenge (if organized by Reply S.p.A. and published on the Platform, under the specific Terms & Conditions dedicated to the Challenge).

**It is strongly recommended that the Data Subject frequently consults this document, in order to know the possible variations or modifications that could be made to it, mainly due to regulatory changes.**

### **1.Data Controller - Who we are**

Reply S.p.A., with registered offices in Torino, Corso Francia, 100 - Tax ID: 9757921001 and VAT number: 08013390011 is the Data Controller of your personal data (hereinafter “**Data Controller**” or “**Reply**”).

This means that Reply decides how personal data are processed and for what purposes.

Within the Reply Group 3 Data Protection Officers have been designated.

- DPO Italy: [dpo.it@reply.it](mailto:dpo.it@reply.it)
- DPO Germany: [dpo.de@reply.de](mailto:dpo.de@reply.de)
- DPO UK: [dpo.uk@reply.com](mailto:dpo.uk@reply.com)

### **2.Your personal data – What they are**

As per definition of the GDPR, ‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

This means the data by which the Data Subject, as natural person, can be identified. Identification can be by the information alone or in conjunction with any other information in the Data Controller’s possession or likely to come into such possession. If the subject will complete the registration, through the online form available previously to access the functions offered by the Platform, Reply will process his/her personal data as per this Privacy Notice, in compliance with applicable legislation.

### **3.Data processing**

For the processing of personal data, we mean, pursuant to article 4 of GDPR: *any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.*

Such data will be processed with the support of IT or telematic means and/or manual modalities for the purposes described below.

### **4.Use of the Platform (primary purposes)**

#### **4.1 Legal basis for the data processing**

The processing of the requested personal data that the Data Subjects must provide during the registration procedure through the Platform, pursues the purposes to:

- allow the Data Subject to use the services offered by the Platform, including the Training Area;
- make it possible for the Data Subjects to access to a possible Challenge that takes place in accordance with the relevant Terms & Conditions;
- allow the Data Subjects to request support during the eventual development of a Challenge;

- update the Data Subject, including by e-mail, regarding new contents published on the Platform (for this purpose, it is specified that the Platform does not provide for the publication of banners or advertising content aimed at selling products or services).

The legal basis for the processing activities is the acceptance of the relevant Challenge Terms & Conditions.

The above registration procedure consists in filling out an online form in which it is required to indicate personal data - some to be entered obligatorily and others (including the so-called 'Avatar' consisting in a graphic icon or a photo of the Data Subjects) optionally - for the activation of access credentials (login + password) with which the Data Subjects will be identified at subsequent accesses. Therefore, the fulfillment of the registration procedures, the creation of the access credentials, the enrollment procedures, the consequent technical and administrative management of the Platform, including the technical or operational assistance that may be requested by the Data Subjects for the sections of the Platform where it is planned are included as part of the processing.

If the Data Subject decides, freely and optionally, to enter the 'Avatar' during the registration procedure must be aware that the Avatar will be part of his account on the Platform and will be visible by the other users of the Platform.

In any case, personal data may also be processed to fulfill the relevant applicable legal obligations as well as for civil, accounting and tax purposes, in particular related to the performance of a possible Challenge. In this case, the legal basis for the processing activities by the Data Controller is the need to fulfill a legal obligation to which the Data Controller is subject.

## 4.2 Mandatory or optional consent

In order to pursue the primary purposes of the processing, in the manner described above, the Data Controller is not obliged to acquire the specific consent to the processing of data of the Data Subjects, as the processing is necessary to fulfill regulatory or contractual obligations related to the provision of functionality offered by the Platform and a possible Challenge. For Data Subject aged 14 to 18 years, in relation to the offer provided by the Platform and the possible Challenge, the processing of the personal data of a child shall be lawful where the child is at least 16 years old.

Pursuant to D.Lgs. 101/2018, art. 2 quinquies, the processing of the personal data of a child shall be lawful in Italy where the child is at least 14 years old.

A simplified Privacy Notice is provided at the end of this document for Data Subject aged 14 to 18 years (page 4-6).

The age declared by Data Subject may be eventually verified and Data Subject under the age of 14 years shall be excluded in accordance with the T&C provisions.

If the Data Subject did not intend to provide the personal data requested and necessary based on the above, it would not be possible to register with the Platform and use the related functionalities.

## 4.3 Communication and dissemination of personal data

In all cases related to the primary purposes of the processing and in particular in the case where a Challenge is organized, the Data Controller may communicate personal data to third parties to whom communication is necessary for the fulfillment of the provisions of the relevant Terms & Conditions and Waiver as well as the current legislation in this area, including: companies or individuals involved in the Challenge, companies or professional firms that provide Reply with assistance or advice in accounting, administrative, legal, tax and financial matters relating to the Challenge, etc.

In addition, for the pursuit of the primary purposes, the data may be disclosed to any other third party when the communication is mandatory by law or in compliance with the provisions, in the case of a Challenge, the relevant Terms & Conditions and Waiver.

The subjects or categories of subjects who may become aware of the personal data, as data processor or persons in charge of the processing, are:

- employees of the Data Controller appointed as persons in charge of the processing and/or system administrators;
- third parties who provide Reply with support activities in the organization and management of all the obligations related to the management of the Platform and of a possible Challenge, appointed as Data Processors.

All the third parties that will process the data as Data Processor guarantee that will not process the data for purposes different from the ones above described, as per the specific contract or other legal act by which the Data Controller appointed the Data Processor.

Finally, in the event of a Challenge providing for the assignment of rights on computer programs, in this case transferred by the only subjects that, pursuant to the Terms & Conditions, have been selected for this purpose obtaining the corresponding payment in kind provided, the data personnel consisting of the name and surname of these subjects will be disseminated as authors of the work (being the moral right on the software code that constitutes it - as a work consisting of a computer program - inalienable, imprescriptible and indispensable).

The personal data of the Data Subject will not be disseminated for different purposes.

#### **4.4 Referral Program**

In the event that the Data Subject is invited to participate to a Challenge through the Challenge Referral Program and has accepted this Privacy Notice and the relevant Terms & Conditions, the Data Subject's data (i.e. name and surname) may be viewed on a Reply dashboard, which may be accessible exclusively to who sent the invitation and to Reply staff who manages the Challenge.

Such data are processed for the following purposes:

- i) monitoring the Reply invitation campaign;
- ii) having a prompt overview of how many Data Subjects invited to the Challenge have accepted the invitation.

Such data will be viewable on the dashboard for a maximum period of twelve months from the execution of the Challenge.

### **5.Potential recruitment activities (secondary purposes)**

#### **5.1 Legal basis for the data processing**

Personal data collected for the primary purposes described above could also be processed using computer or manual methods, to contact the Data Subject for potential recruitment activities by the Data Controller or its affiliates.

To proceed with the treatment for the recruitment purposes, it is mandatory to acquire a specific, separate, optional, free and informed consent by the Data Subject. In this case, the legal basis for the processing activities by the Data Controller is the consent of the Data Subject.

It is understood that Data Subject under the age of 16 years old are excluded from the aforementioned recruiting activities and their data shall be processed solely in relation of the primary purposes and to fulfill a legal obligation to which the Data Controller is subject.

By consenting to the aforementioned processing, the Data Subject therefore acknowledges that the Data Controller is entitled to: i) contact the Data Subject either by telephone (by operator) or by e-mail in order to collect additional information about Data Subject application; ii) assess Data Subject CV, evaluate and consider Data Subject personal information in connection with current and future open positions within the Reply Group Companies.

As a global corporation, Data Subject personal information may be accessed from other Reply offices in Reply's worldwide organization (a list of the Reply offices is available [here](#)). In any case, Reply will not transfer personal information of EEA/UK Data Subjects outside the EEA/UK.

The ability for the Data Subject remains in place, in addition to being able to totally revoke his consent to the processing, to communicate his will to receive the aforementioned communications only by one of the contact information (telephone or e-mail). This communication will be sent to the address of the Data Controller as indicated below.

#### **5.2 Mandatory or optional consent**

The consent to the processing for secondary purposes of recruitment of personnel, by the Data Subject is absolutely elective and optional.

Therefore, even in the absence of such consent, the Data Subject can still register and use the features offered by the Platform. It is understood that Data Subject under the age of 16 years old are excluded from the aforementioned secondary purposes and the processing of their data shall concern only the activities carry out in relation to the primary purposes.

#### **5.3 Communication and dissemination of personal data**

Data Subject personal data may be accessed by the following categories of individuals:

- The Central Reply Challenges Team;
- Reply employees and Companies directly involved in the Challenge;
- Reply employees who have responsibility for recruitment, such as members of the Reply Human Resource teams;
- Individuals performing administrative functions and IT personnel within Reply may also have access to Data Subject personal data to the extent necessary perform their jobs.

### **6.Place, data retention periods and additional information**

The Platform - through which the collection, storage and processing of personal data for the purposes set out in this Notice is carried out - is installed on a cloud system located within the European Union.

The data will be retained for the period defined by the reference legislation (five-year or ten-year terms for the conservation

of documents and related data of a civil, accounting and tax nature as required by the current laws) and for the period necessary to perform the services offered by Platform or lower term, if the Data Controller receives from the Data Subject a revocation of consent and/or request for erasure (provided that, in case of request for erasure, will be less, for the person concerned, the ability to access the Platform).

With reference instead to personal data processed for secondary purposes, the same will be retained for 24 months from collection or lower term if the Data Controller receives from the Data Subject revocation of consent and/request for erasure. All data collected will not be subject to any automated decision-making process, including profiling.

### **7.Extra EU/UK Data Transfer**

Reply is a global corporation with operations in several countries (a list of the Reply offices is available [here](#)) and for the purposes listed above personal information may be accessed by Reply authorized persons including in countries or regions outside of the one in which the Data Subject resides. In any case, Reply will not transfer personal information of EEA/UK Data Subjects outside the EEA/UK. In case Data Subjects personal information will be transferred outside the EEA/UK in a country that does not provide an adequate level of protection for personal information, Reply will take measures designed to ensure that personal information is adequately protected, such as making it subject to the terms of the EU/UK Standard Contractual Clauses.

### **8.Exercise of rights by Data Subject**

Depending on Data Subject's country of residence, Data Subject may have certain choices and rights in relation to him/her information.

EU/UK Data Subjects can ask to Data Controller the access to data concerning them, rectification of inaccurate data or integration of incomplete data, erasure of data, restriction of processing activity in the cases provided by art.18 GDPR; to receive data in a structured, commonly used and machine readable format, as well as, if technically possible, to transmit data to other data controller without hindrance, in the cases in which the conditions for the exercise of data portability right are present, according to art. 20 GDPR (processing is based on the consent pursuant to art. 6.1 lett. a) or art. 9.2 lett. a) or on a contract pursuant to point (b) of art 6.1 GDPR or in the case in which processing is carried out by automated means). Data subjects have the right to object, for reasons connected to their particular situation, the processing activity for pursuing the purposes based on the legitimate interest of the Data Controller.

The EU/UK Data Subjects have also the right to lodge a complaint with the Data Protection Authority of the country of residence.

Any corrections or cancellations or limitations of the processing performed at the request of the Data Subjects, except in cases where this proves impossible or involves a manifestly disproportionate means, will be communicated by the Data Controller to each of the recipients to whom the personal data was transmitted. The Data Controller of the information may inform the recipient of these recipients on request. The exercise of these rights is not subject to any form constraint and is free of charge.

The address to write to exercise the rights is:

by e-mail: [challenges@reply.com](mailto:challenges@reply.com)

or

by mail: to Reply's registered office

## SIMPLIFIED PRIVACY NOTICE FOR DATA SUBJECT aged 14 to 18 years

This Privacy Notice is issued to Data Subjects who wish to register on the platform accessible at the URL: challenges.reply.com (hereinafter, "**Platform**").

Provided that the registration to the Platform is free (subject to the necessary connection to the Internet with normal tariff plan), the Platform aims to allow Registered Users to test their skills in Information Technology (e.g., software programming, problem solving, etc.) or in the Digital Content (e.g., digital marketing, digital advertising, digital media, social media, etc.), individually or in teams, both through the section called Training Area and to demonstrate them during a Challenge (if organized by Reply S.p.A. and published on the Platform, under the specific Terms & Conditions dedicated to the Challenge).

**Data Controller** → person who decides how personal data are processed and for what purposes

**Data Subject** → person who gives his/her personal data to the Data Controller.

**Personal Data** → the data by which the Data Subject, as natural person, can be identified. Identification can be by the information alone or in conjunction with any other information.

**Data Processing** → any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

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| <b>Who is the Data Controller?</b>                                   | Reply S.p.A., with registered offices in Torino, Corso Francia, 100 - Tax ID: 9757921001 and VAT number: 08013390011.   |
| <b>Why will Reply process your personal data and on which basis?</b> | <p>Your data will be processed with the support of IT or telematic means and/or manual modalities for the following purposes:</p> <p><b>(1) Use of the Platform – Primary purposes</b></p> <ul style="list-style-type: none"><li>• allow you to use the services offered by the Platform, including the Training Area;</li><li>• make it possible for you to access to a possible Challenge that takes place in accordance with the relevant Terms &amp; Conditions;</li><li>• allow you to request support during the eventual development of a Challenge;</li><li>• update you, including by e-mail, regarding new contents published on the Platform (for this purpose, it is specified that the Platform does not provide for the publication of banners or advertising content aimed at selling products or services);</li><li>• fulfill the obligations provided for by the relevant applicable legislation, as well as for civil, accounting and tax purposes.</li></ul> <p>The legal basis for the processing activities is the acceptance of the relevant Terms &amp; Conditions.</p> <p><b>(2) Potential recruitment activities (age: 16+) – Secondary purposes</b></p> <p>Upon your consent, your Personal data may also be processed using computer or manual methods, to contact you for potential recruitment activities by Reply or its affiliates.</p> <p>The legal basis for the processing activities by Reply is your consent.</p> |
| <b>Who can access to your personal data?</b>                         | <p>Reply may communicate personal data to third parties to whom communication is necessary for the fulfillment of the provisions of the services:</p> <ul style="list-style-type: none"><li>• companies or individuals involved in the Challenge, companies or professional firms that provide Reply with assistance or advice in accounting, administrative, legal, tax and financial matters relating to the Challenge, etc.</li><li>• employees of Reply appointed as persons in charge of the processing and/or system administrators;</li><li>• third parties which provide Reply with support activities.</li><li>• (for secondary purposes), Reply employees who have responsibility for recruitment, such as members of the Reply Human Resource teams;</li></ul>   |
| <b>How Reply protects your personal data.</b>                        | Reply makes use of reasonable technical and organizational security measures and safeguards that are designed to help protect the data that we collect, use, and retain.  |

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| <p><b>How long will Reply retain my personal data? Whe</b></p>                               | <p><b>For Primary purposes:</b> data will be maintained for the period defined by the reference legislation (five-year or ten-year terms for the conservation of documents and related data of a civil, accounting and tax nature as required by the current laws) and for the period necessary to perform the services offered by Platform or lower term, if Reply receives from you a revocation of consent and/or request for erasure</p> <p><b>For Secondary purposes:</b> data will be maintained for 24 months from collection or lower term if Reply receives from you a revocation of consent and/request for erasure.</p> <p>All data collected will not be subject to any automated decision- making process, including profiling.</p>  |
| <p><b>Which rights do you have with respect to the processing of your personal data?</b></p> | <p>You have the right (in the circumstances and under the conditions, and subject to the exceptions, set out in applicable law) to:</p> <ul style="list-style-type: none"> <li>• <b>request access to your personal data:</b> this right entitles you to request access to personal data we process about you, as well as to certain information on such processing;</li> <li>• <b>request rectification of your personal data:</b> this right entitles you to request the rectification or completion of any of your personal data that would be inaccurate or incomplete;</li> <li>• <b>request erasure of your personal data:</b> this right entitles you to request the erasure of your personal data, including where such personal data would no longer be necessary to achieve the purposes;</li> <li>• <b>object to the processing of your personal data:</b> this right entitles you to request that we no longer process your personal data;</li> <li>• <b>request the restriction of the processing of your personal data:</b> this right entitles you to request that we only process your personal data in limited circumstances, including with your consent;</li> <li>• <b>request a copy or the portability of your personal data:</b> this right entitles you to receive a copy of personal data that you have provided to us.</li> <li>• <b>lodge a complaint with the Italian Data Protection Authority</b>, following the procedures and indications published on the Authority's official website on <a href="http://www.garanteprivacy.it">www.garanteprivacy.it</a>.</li> <li>• <b>withdraw consent at any time</b> to the extent that the processing of your personal data is based on your consent.</li> </ul> |
| <p><b>How can I exercise any of your rights or contact Reply?</b></p>                        | <p>The address to write to exercise the rights is:<br/>by e-mail: <a href="mailto:challenges@reply.com">challenges@reply.com</a><br/>or<br/>by mail: to Reply's registered office</p>   |
| <p><b>Where are processed my personal data?</b></p>  | <p>The Platform is installed on a cloud system located within the EU.</p> <p>Reply is a global corporation with operations in several countries (a list of the Reply offices is available here) and for the purposes listed above personal information may be accessed by Reply authorized persons including in countries or regions outside of the one in which the Data Subject resides. Reply will not transfer personal information of EEA/UK Data Subjects outside the EEA/UK.</p> <p>In case Data Subjects personal information will be transferred outside the EEA/UK in a country that does not provide an adequate level of protection for personal information, Reply will take measures designed to ensure that personal information is adequately protected, such as making it subject to the terms of the EU/UK Standard Contractual Clauses.</p>  |