

# **Personal data protection policy**

**PrestaShop Hosting**

# SUMMARY

	2
<b>PREAMBLE</b>	<b>3</b>
<b>1. WHAT DATA IS COLLECTED BY PRESTASHOP?</b>	<b>3</b>
<b>2. WHO PROCESSES YOUR DATA?</b>	<b>4</b>
2.1 Processing of your data internally	4
2.2 Processing of your data externally	4
<b>3. PROCESSING FOR LEGAL REQUIREMENTS</b>	<b>5</b>
<b>4. HOW LONG ARE YOUR DATA KEPT?</b>	<b>5</b>
<b>5. HOW IS YOUR DATA PROTECTED?</b>	<b>5</b>
<b>6. WHAT ARE YOUR RIGHTS ?</b>	<b>6</b>
6.1 Rights to your Data	6
6.2 Exercising these rights	6
<b>7. DOES PRESTASHOP TRANSFER MY DATA OUTSIDE THE EUROPEAN UNION?</b>	<b>7</b>

# PREAMBLE

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It is normal that you attach particular importance to the way in which your data is obtained, used and shared within the framework of the Service.

Also, this personal data protection policy (hereinafter the "**Policy**") has been drawn up to enable you to become acquainted with the practices and conditions under which PrestaShop SA - a public limited company registered in the Paris Trade and Companies Register under number 497 916 635 and whose offices are located at 198, Avenue de France 75013 Paris (hereinafter "**PrestaShop**") collects, uses and stores your personal data (hereinafter the "**Personal Data**" or "**Data**").

Due to the constant evolution of laws and regulations regarding technology and the protection of personal data, it is likely that this Policy will be updated. If you have subscribed to the Services, you will be notified of substantial changes by email.

If any of the clauses of this Policy should be declared null or contrary to the regulations, it will be deemed unwritten but will not result in the nullity of the other clauses of this Policy.

It does not apply to Personal Data collected by any third parties or through sites operated by them; including via applications or redirecting the user to the Services.

The purpose of the Policy is to inform our users about how we process Personal Information, how we use, share and protect it and what rights you have.

Please read the Policy carefully so that you clearly understand our practices regarding the processing of your Personal Information and be aware that your access to and use of our Services is subject to this Policy. If you do not agree with this Policy, please do not subscribe to the Services.

It is your responsibility to ensure that the Personal Information you provide to PrestaShop is complete and up-to-date.

## 1. WHAT DATA IS COLLECTED BY PRESTASHOP?

PrestaShop collects your Personal Information for the following purposes :

Purposes	Legal basis
<b>Provision of the Services</b> → provide the Services you have subscribed to, assistance, invoice management, litigation management, etc.	<b>Contractual commitments</b> → General Conditions of Use

<p><b>Ensure and improve our Services</b></p>	<p><b>Legitimate interest</b> → Analysis and improvement of Services</p>
<p><b>Evaluate and analyze performance</b></p>	<p><b>Legitimate interest</b> → Analysis and improvement of Services</p>
<p><b>Marketing</b> → Sales prospecting, etc.</p>	<p><b>Legitimate interest</b> → In accordance with the recommendations of the CNIL regarding B2B commercial prospecting, you are likely to receive commercial communications</p>
<p><b>To meet our legal requirements</b> → Respond to requests from authorities, compliance with laws and regulations, Respond to requests to exercise rights mentioned in section 6 of this Policy</p>	<p><b>Legal obligations</b></p>

## 2. WHO PROCESSES YOUR DATA?

### 2.1 Processing of your data internally

PrestaShop employees are required to process your Personal Data.

### 2.2 Processing of your data externally

As part of the Services, the User is informed that PrestaShop has already used the following Subcontractors :

- For the purpose of hosting your Sites, PrestaShop uses DeltaBlue, a limited liability company under Belgian law, with registered office at Kempische Steenweg 293, box 34, 3500 Hasselt, Belgium, registered with the Register of Legal Persons (RPM) of Antwerp, district of Hasselt under company number 0543.425.375.
- For the management of its clients and prospects, PrestaShop uses the software "HubSpot", published by the company HubSpot Inc. - 25 First Street, 1st Floor, Cambridge, MA 02141 - USA and Google Ireland Limited - Gordon House, Barrow Street, Dublin 4, Ireland.

A contract for the processing of Personal Data between PrestaShop and our Subcontractors ensures a level of protection and security in accordance with the applicable legislation on the protection of Personal Data.

### **3. PROCESSING FOR LEGAL REQUIREMENTS**

We may also disclose your Personal Data:

- to comply with any legal mandate, law or legal process, including governmental and regulatory requests;
- if we believe that disclosure is necessary or appropriate to protect the rights, property or safety of PrestaShop, its clients or other stakeholders. Such disclosure includes exchanging information with other companies and organizations for the purpose of protecting against fraud and forgery.
- Your Personal Data may be transferred to any purchaser or other successor in the event of a merger, divestiture, reorganization, dissolution or other sale or transfer of some or all of PrestaShop's assets due to uncertainties or bankruptcy, liquidation or other processes in which User Data from the various PrestaShop sites is one of the assets transferred.

### **4. HOW LONG ARE YOUR DATA KEPT?**

PrestaShop only keeps your Data for the time necessary for the purposes set out in Article 1.

This retention period is not the same depending on the Data in question, the nature and purpose of the collection being likely to vary this period. Likewise, certain legal obligations impose a specific retention period.

If you have subscribed to the Services, your Identity and Transaction Data will be kept for the duration of the contract and for five (5) years from the end of the contractual relationship. Otherwise, they will be kept for three (3) years.

### **5. HOW IS YOUR DATA PROTECTED?**

PrestaShop undertakes to put in place technical and organizational measures intended to guarantee the security and confidentiality of Personal Data against any unauthorized access, alteration, use, modification and disclosure during the provision of the Services.

As such, PrestaShop employees in charge of the proper performance of the Services are subject to an obligation of confidentiality.

Taking into account the state of knowledge, the costs of implementation and the nature, scope, context and purposes of the Processing, PrestaShop and the User undertake to implement the appropriate technical and organizational measures in order to guarantee a level of security adapted to the risk.

## 6. WHAT ARE YOUR RIGHTS ?

### 6.1 Rights to your Data

In accordance with the provisions of the applicable regulations on the protection of personal data, in particular the European Regulation 2016/679 on Data Protection (hereinafter the "RGPD") as well as the amended "Informatique et Libertés" law of 6 January 1978, we undertake to guarantee the exercise of your rights.

Regardless of the purpose or legal basis of the processing, you have:

- A right of access to the Data we hold about you,
- A right to rectify your Data that we already hold,
- A right to have your Data deleted,
- A right to limit the processing of your Data,
- A right to set out instructions on what to do with your Data in the event of your death.

If you have given us your consent to process your Data, you also have the right to withdraw that consent at any time. However, the withdrawal of consent does not render unlawful any processing already carried out on that legal basis.

If you have given us your consent to process your Data or the processing is based on contractual commitment, you have a right to the portability of your Data provided.

Finally, if the processing is based on the legitimate interest of PrestaShop, you have a right to object on legitimate grounds in accordance with Article 21 of the GDPR; where the data is processed for the purpose of canvassing, you will not be required to provide grounds.

### 6.2 Exercising these rights

You may exercise these rights by sending an email in English, French or Spanish to [privacy@prestashop.com](mailto:privacy@prestashop.com) or to the following address

**PrestaShop S.A - Service juridique  
Personal Data  
198, Avenue de France- 75013 Paris**

We have a period of one month to respond to any request relating to the exercise of your rights from the date of receipt of the request. This period may be extended by two months, due to the complexity or excessive number of requests.

In accordance with Article 12.6 of the RGPD, to exercise these rights, PrestaShop, as the data controller, reserves the right to ask you to prove your identity. We inform you that the data allowing to justify your identity will be deleted once we have answered your request.

Finally, you have the right to lodge a complaint with the Commission Nationale de l'Informatique et des Libertés (CNIL), notably on its website [www.cnil.fr](http://www.cnil.fr).

## **7. DOES PRESTASHOP TRANSFER MY DATA OUTSIDE THE EUROPEAN UNION?**

The Data collected in connection with the performance of the Services may also be transferred outside the European Union as detailed in Article 4 above. Where applicable, contractual measures have been put in place to guarantee the security of the data which is transferred to these service providers.

# PRESTASHOP

Find further information on PrestaShop on [prestashop.com](https://www.prestashop.com).