

Privacy Policy

Effective Date: 01.02.2023

INTRODUCTION

ASOMobile as a Service (SaaS) (hereinafter referred to as "we", "us" or "ASOMobile") may collect and process personal data and, in this context, is committed to protecting your personal data and respecting your privacy in accordance with data protection laws and under the conditions detailed below.

This Privacy Policy applies to the processing of personal data carried out by the data controller identified as Gulf Soft and App Designer FZE. With registered office at SM-Office - B1 - FL.H-00541, P.O. box 16675, Ajman, UAE.

This privacy policy applies to:

our general and informative website (<https://www.asomobile.net>, hereinafter: the "General Website") and SaaS platform (<https://app.asomobile.net>, hereinafter: the "Solution") (all together hereinafter: the "Site"), its subdomains and related services; all existing (commercial) relationships between ASOMobile and its customers, prospects and business partners; and anyone with whom we may have a relationship.

In relation to the Site, the Privacy Policy applies to all pages hosted on the Site and registrations made in relation to the Site. It does not apply to pages hosted by third parties to which ASOMobile may refer and whose privacy policies may be different. ASOMobile cannot therefore be held responsible for any data processed on or by these sites.

Persons under the age of 18 and persons who do not have full legal capacity are not allowed to use the Site. ASOMobile asks them not to provide their personal data. Any violation of this provision must be reported immediately to the following address: security@asomobile.net

ASOMobile wishes to underline that it makes every effort to act at all times in compliance with data protection laws, i.e. all European data protection laws, where applicable, (i) EU Regulation 2016/679, adopted on 27 April 2016 ("GDPR"), (ii) Directive 2002/58/EC of 12 July 2002 ("e-Privacy Directive") and any legislation replacing the GDPR and the e-Privacy Directive, (iii) any law, (iv) any law, statute or regulation relating to the protection of personal data of a member state of the European Economic Area ("EEA") which may apply to either Party in the context of its data processing activities or its establishment in the EEA, and any subordinate legislation made thereunder, together with any codes of practice or other guidance issued by the data protection supervisory authority in the Territory;

Please read this Privacy Policy carefully and in conjunction with ASOMobile's SaaS Platform Terms of Service, Website Terms of Use and Cookies Policy. It contains important information about how your personal data will be processed. By accessing the Site, providing your personal information on our Site, contacting us by email/phone/any other means, submitting a question/complaint/file, you declare that you have read this Privacy Policy and expressly agree to its contents. When we contact you, we will provide you with this Privacy Policy. By contacting us subsequently, you acknowledge that you have read and expressly agree to this Privacy Policy.

If you have any questions, please do not hesitate to contact us at security@asomobile.net.

DATA PROTECTION OFFICER (DPO)

In accordance with Article 37 of the GDPR, ASOMobile has appointed a Data Protection Officer (more commonly known as "DPO") to act as a single point of contact within our organisation. Our DPO has been appointed on the basis of his professional qualities and, in particular, his expert knowledge of data protection law and practice and his ability to carry out the tasks covered by the GDPR. Here are contact details: security@asomobile.net

1 - WHAT PERSONAL DATA DO WE PROCESS ABOUT YOU?

1.1. By registering or filling in a form available on the ASOMobile website or on paper (e.g. subscription to the ASOMobile newsletter, contact form, demo registration, form for downloadable content, screening questions for job applications, ...), the person concerned authorizes ASOMobile in particular to collect and store the following information for the purposes specified in article 2;

1.2. If the Data Subject is a job applicant identifying data (such as first name and surname, EU citizenship/visa and/or authorization to work in the country where the job is located, e-mail address, telephone numbers if you reside in the country where the job is located);

A photograph (not mandatory);

any other personal information provided in your CV, cover letter or LinkedIn profile (such as academic and work experience, education, interests and language skills);

Data relating to the academic and professional background of the data subject;

your diploma, if you are employed;

our communications (by e-mail or otherwise);

ASOMobile obtains the above personal data directly from you or through our partners, such as recruitment services, temporary agencies, etc. If you do not provide us with such information, we will not be able to continue our recruitment process.

1.3. If the Data Subject is a User of the Sites (the General Website and the Solution)

a) When the User accesses the ASOMobile Websites, we automatically record certain data, such as in the case of services that require authentication, identification data such as first name and surname, email address, telephone numbers and postal addresses;

the IP address assigned to the user (if connected);

the date and time of access to the ASOMobile Websites and other traffic-related data;

demographic attributes of the user (only for the public website) or other data related to communication;

The pages consulted by the User on the ASOMobile Websites;

The type of browser, platform and/or operating system used by the user;

The search engine and keywords used to find our Websites;

the browsing preferences, if the user accepts the preference cookies.

Cookies may be used on the Websites to improve navigation and technical management. For example, ASOMobile automatically records which parts of the site you visit, which web browser you use, which pages you visited when you accessed the site, etc. This information does not allow us to identify you, but it does allow ASOMobile to compile statistics about the use of the Site. You can find more information about "cookies" in our cookie policy (coming soon).

b) When the User accesses and uses the Solution, ASOMobile also processes

Data and information related to the User when creating or using his/her user account, such as surname, first name, email address, password, country, and other data related to the company

he/she works for and is a client of ASOMobile (such as full legal name, email address, language, and optionally company name, billing address and tax ID number);
Data from third party applications that the user has requested to be integrated into their user account;
Subscription history;
any personal data voluntarily provided to ASOMobile (for example, during the contact process);
additional information requested by ASOMobile for identification purposes or to prevent violation of the provisions of the Privacy Policy.
The processing of some personal data is a condition to benefit from our services.

1.4. If the data subject is a guest blog author, Identifying information, such as first and last name, email address, contact phone numbers and postal addresses, and images;
LinkedIn profile link, job title and employer name.

2 - WHY DO WE COLLECT YOUR INFORMATION?

2.1. We process your data for different purposes. For each purpose, only the data relevant to the fulfilment of that purpose will be processed. Processing includes any operation (manual or automated) carried out on personal data.

2.2. If the data subject is a job applicant, we collect and process your personal data necessary for the performance of a contract or to take steps at your request prior to entering into a contract, based on our legitimate interest or to fulfil a legal obligation, in particular for the following purposes

the recruitment of employees, trainees and other staff:

To respond to requests for information and questions from applicants.

To enter into and perform the contractual relationship with the data subject.

To respond to legal obligations to comply with national employment laws.

To respond to requests for information from relevant authorities.

2.3. If the data subject is a user of the website, ASOMobile will process your data in order to

To process and respond to requests for information and questions from Data Subjects made through the online chat and contact form or any other means of communication. An online chat is available on the Sites and a contact form is available on the Public Website. You may also contact us by telephone, email and post. In order to respond to your requests, we will be required to process some of your personal data that you deem useful to communicate to us so that we can answer your questions. This processing is based on the (pre)contractual execution.

To arrange a demonstration. We ask you to complete an online form to arrange a meeting with one of our experts. The information requested will allow us to best prepare our meeting and tailor our commercial proposals.

To inform you about publications and activities related to ASOMobile.

To disseminate and promote current information about our activities and services.

To receive news and tips on App Store optimisation and product/feature releases provided by ASOMobile (such as ASOMobile's monthly newsletter); as part of the various services we offer, we offer you the possibility of subscribing to ASOMobile's monthly newsletter by ticking the box you'll find among the contact forms on the public website (forms for downloadable content, contact forms, registration form...) in order to be kept informed of promotional offers and product/feature releases, to receive tips on ASO and to be informed of our next webinars and events. This processing is based on your consent.

To send you invitations to webinars and events.

To allow the data subject to receive communications.

To provide information about site upgrades and functionality. And to personalize the user's experience when using our sites, to make our sites easier and more convenient to use, and to analyze, adapt and improve the content of the sites.

In order to improve the quality of your visit to our site, we use certain cookies that allow us to remember some of your personal information. However, we make very limited use of persistent cookies:

To conduct statistical surveys;

for any other purpose to which the data subject has expressly consented.

In particular, if the data subject is a user of the solution, ASOMobile will process his/her data for the following purposes:

Starting a free trial. To do this, it is necessary to create an online account and select your plan, entering personal data that we use to link your account to your person.

Register your user account on our site. You will be able to place your orders online through your user account on our website. To do this, you will need to create an online account and select your plan by entering personal information that we use to link your account to you. We do not have access to your bank details. This processing is necessary for the performance of a contract and is also based on our legal obligation to provide (pre)contractual information.

Providing services, processing your transactions and carrying out your instructions. ASOMobile processes your data in order to provide the services you have requested. This means that your personal data will be kept by ASOMobile for the time necessary to provide you with the service(s) you have subscribed to. The processing is based on the fulfilment of a contractual obligation.

Sending invoices and collecting payments. ASOMobile provides services that require the use of some of your personal data in order to issue invoices when necessary. Once the payments are collected, the data will be processed by the accounting department for good management purposes, such as billing records, last name, first name and billing address. This processing is based on the performance of a contract and legal obligations.

2.4. If the data subject is a guest blog author,

Respond to requests for information from the Data Subject.

To enter into and perform the Partnership Agreement with the Data Subject.

For any other purpose to which the data subject has expressly consented.

2.5. Regardless of the category of data subject, ASOMobile will process your personal data for the following purposes compliance with laws and regulations. We ensure that we comply with all laws and regulations and may need to process some of your personal data to do so. This processing is triggered by our obligation to comply with legal requirements.

To protect our rights or the rights of third parties. ASOMobile may process your information to protect our own rights or the rights of third parties. This will mainly occur in the context of the defense or protection of legal rights and interests, legal proceedings, the handling of complaints or disputes, and corporate restructuring, mergers or acquisitions. We will do so on the basis of a legal obligation or our legitimate interest.

2.6. Where your information has been collected by a third party:

To fulfil the purposes of the processing of personal data carried out by that third party, whether or not jointly with ASOMobile.

In the context of reporting and statistical analysis.

3 - WHAT IS THE LEGAL BASIS FOR THE PROCESSING OF YOUR PERSONAL DATA?

The legal basis for the processing of your personal data is based on:

3.1. your consent, for example to receive direct communications.

Where the legal basis of our processing is your consent, you have the right to withdraw your consent at any time without prejudice to the lawfulness of the processing carried out prior to your withdrawal.

When you receive information through direct communications, this means that you can unsubscribe at any time from newsletters and other commercial communications from us (e.g. invitations to training, events or webinars). You will be put in an 'opt-out' position. You can unsubscribe by sending an email to team@asomobile.net or by clicking on the "unsubscribe" button at the bottom of any direct communication. Please note that it may take up to 5 working days to process your opt-out request.

3.2. the performance of any contract and the fulfilment of any of your requests: We need to collect some of your information in order to respond to your requests. If you choose not to provide us with this information, it may make it impossible for us to perform the contract.

3.3. we are legally required to process the data, for example, we may need to collect and store some of your data to comply with various legal requirements, including tax and accounting requirements.

3.4. the protection of your vital interests.

3.5. the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or

3.6. our legitimate interest in relation to your interests, freedoms and fundamental rights.

We have a legitimate interest in providing you with this information and interacting with you, in particular to respond to your requests or improve our services, to prevent abuse and fraud, to monitor the regularity of our operations, to exercise, defend and preserve our rights, for example in the event of legal disputes, as well as evidence of a possible violation of our rights, to manage and improve our relationship with you, to continually improve our website and our products/services, unless such interests are overridden by your interests or your fundamental rights and freedoms which require the protection of your personal data.

4 - HOW LONG DO WE KEEP YOUR DATA?

4.1. ASOMobile will keep the personal data of its Data Subjects for the duration necessary to achieve the purposes pursued (see article 2), unless a longer retention period is required or justified (i) by law, in particular in fiscal matters, or (ii) by compliance with another legal obligation. ASOMobile may also continue to keep personal data relating to Data Subjects, including any correspondence or requests for assistance sent to us, in order to be able to respond to any questions or complaints that may be sent to it or after an event organised by ASOMobile.

4.2. Without prejudice to the exercise of your rights, the protection of our rights and other legal obligations of storage

a) for applicants, your data will generally be kept for a maximum of 24 months after unsuccessful candidates have been notified, with regard to the data specified in point (1.2).

- b) For successful candidates, your data will generally be kept longer. Information will be provided to you via the HR Privacy Policy.
- c) for public website user data, your data will generally be kept for a maximum of 24 months after the last contact for data provided when contacting us (in the absence of an order); 24 months after your last visit to the Website.
- d) for Solution users, your data will generally be kept for a maximum of 10 years after deletion of your account/placement of your last order, with regard to the following data
Data and information relating to the User when creating or using their user account, such as surname, first name, email address, password, country and other data relating to the company they work for and customer of ASOMobile (such as full legal name, email address, country and optionally company name, billing address and tax ID number);
Subscription history;
Data communicated when contacting us (except in the absence of the provision of services by ASOMobile - in this case, the data is kept for 24 months after the last contact).
- e) for Apple and Google user reviews and usernames, your data will be kept as long as there is a business interest.
- f) for guest blog author data, your data will generally be kept for as long as the blog is live and until it is removed from our website.
- g) for the data retention period in relation to cookies, you can find more information in our cookie policy (coming soon).

4.3. Once this purpose is achieved, we will either delete or anonymize the personal data.

5 - DO WE USE THE DATA FOR DIRECT COMMUNICATION AND MARKETING PURPOSES?

5.1. The personal data will not be used for direct communication of articles or services that are not identical or similar to those to which the user has already subscribed, unless the user has previously expressly consented to such use by ticking the boxes provided for this purpose ("opt-in").

5.2. If you have consented to the use of this information for direct communication purposes, you retain the right to object to such use at any time upon request and free of charge. You can simply communicate your request by writing to the following address: team@asomobile.net

6 - WHAT ARE YOUR RIGHTS?

6.1. In relation to the processing of your personal data, you have the following rights:

The right to access your personal data;

The right to be informed of the purposes of the processing and the identity of the data controller;

The right to rectify, complete or update your personal data. We encourage you to access your account (if applicable) or contact us from time to time to check that your information is up to date;

In certain circumstances, the right to have your personal data deleted ("right to be forgotten"). You may request the deletion of your personal data at any time, except for data that we are required by law to retain;

The right to restrict the processing of your personal data. In particular, you may obtain a restriction on the processing if you have objected to the processing, if you dispute the accuracy of the data, or if you believe that the processing is unlawful;

Right to portability of your personal data. You have the right to obtain the personal data that you have communicated to ASOMobile and you may also ask the said company to communicate this data to another data controller.

The right to object to the processing of your personal data;

Right to withdraw your consent (if the legal basis for the processing is consent);

6.2. We do not subject data subjects to decisions based solely on automated processing which produces legal effects concerning them or similarly significantly affects them, including profiling.

In accordance with the GDPR, the exercise of these rights is in some cases limited to certain prerequisites or subject to compliance with certain conditions.

If you exercise some of your rights, ASOMobile points out that certain services may no longer be accessible or provided - for example, if you delete some information from your user account, some services may no longer be provided to you.

6.3. If you wish to exercise your privacy rights, please contact team@asomobile.net or, if you have a legal issue, our DPO: security@asomobile.net. We will then take the necessary steps to comply with the request as soon as possible and within one month of receiving the request. If necessary, this period may be extended by two months due to the complexity and number of requests.

7 - WHAT SECURITY MEASURES DO WE TAKE?

7.1. In addition, ASOMobile has adopted the appropriate organisational and technical measures to ensure a level of security appropriate to the risk and to prevent, as far as possible, unauthorised access to or modification of the personal data processed:

Unauthorised access to or alteration of such data.

Improper use or disclosure of such data.

unlawful destruction or accidental loss of such data.

7.2. In this respect, ASOMobile employees and ASOMobile members who have access to such data are subject to a strict obligation of confidentiality. Nevertheless, we cannot be held liable in any way in the event that this data is stolen or misappropriated by a third party, despite the security measures adopted.

7.3. You agree not to take any action that may be contrary to this Privacy Policy, the SaaS Platform Terms of Service, the Website Terms of Use, the Cookies Policy or, more generally, the law. Violations of the confidentiality, integrity and availability of information systems and data stored, processed or transmitted by these systems, or attempts to commit any of these violations, shall be punishable by imprisonment for a term of between three months and five years and a fine of between twenty-six euros and two hundred thousand euros, or by one of these penalties only.

8 - DO WE SHARE YOUR INFORMATION WITH THIRD PARTIES?

8.1. ASOMobile treats personal data as confidential information. It will not disclose them to third parties under any conditions other than those specified in the Privacy Policy, such as to achieve the purposes set out and defined in article 2, or under the conditions in which the law requires it.

8.2. In this context, your personal data may be communicated to the following subjects or categories of subjects:

Payment and billing partners

insurance companies

CRM and communication tools

Tools for analysing user behaviour

Internal or external auditors

Cloud service providers
Social media platforms (such as LinkedIn)
Recruiting platform/software

8.3. Where we share your personal data with third parties, such third parties will be required to use your personal data in accordance with the GDPR and the terms of this Privacy Policy.

8.4. Notwithstanding the above, it is possible that ASOMobile may transfer your personal data to the relevant authorities if we are required to do so by law or as part of a judicial or administrative proceeding. For example, we may need to share data with public authorities (including the judiciary, police and regulatory authorities), for example in the event of a cyber incident.

To protect and defend our rights or enable third parties to protect their rights.

Where it is necessary or desirable to comply with legal or regulatory obligations.

If we or substantially all of our assets are acquired by a third party, in which case your personal information - which we have collected - will be one of the transferred assets.

To our subsidiaries/other group companies.

Where you have expressly consented, where applicable.

8.5. The communication of this information to the aforementioned persons will in all circumstances be limited to what is strictly necessary or required by applicable regulations.

8.6. We do not sell any data.

9 - WILL WE TRANSFER DATA TO A COUNTRY OUTSIDE THE EUROPEAN ECONOMIC AREA?

9.1. ASOMobile will only transfer data to a country outside the European Economic Area if that country ensures an adequate level of protection within the meaning of the legislation in force and, in particular, within the meaning of the General Data Protection Regulation (for more information on the countries offering an adequate level of protection, see the adequacy decisions of the European Commission) or within the limits permitted by the legislation in force, for example by ensuring the protection of data through appropriate contractual provisions.

9.2 The information processed by ASOMobile will be transferred or transmitted, or stored and processed, to our affiliates/members in the United States, Japan, India, United Kingdom, Canada and South Korea. We use standard contractual clauses approved by the European Commission and rely on the adequacy decisions of the European Commission for certain countries. If you have any questions in this regard, please do not hesitate to contact us at security@asomobile.net.

10 - UPDATES AND CHANGES TO THE POLICY

10.1. We are entitled to update this Privacy Policy by publishing a new version on the Site, in particular to comply with any new applicable laws and/or regulations (such as the General Data Protection Regulation), the guidelines, recommendations and best practices of the European Data Protection Board and the decisions of courts and tribunals on this matter.

10.2. In this context, you will be informed of any subsequent material changes to the Privacy Policy. However, it is particularly recommended that you regularly consult the Site and the page on which the Privacy Policy is available in order to be aware of any minor changes.

11 - VALIDITY OF THE CLAUSES OF THE CONTRACT

11.1 ASOMobile's failure to invoke - at any given time - a provision of this policy may not be construed as a waiver to subsequently invoke its rights under the said provision.

11.2 The invalidity, lapse or unenforceability of all or part of any of the provisions above or below shall not result in the invalidity of the entire Privacy Policy. Any provision that is wholly or partially invalid, expired or unenforceable shall be deemed not to have been written. ASOMobile undertakes to replace this provision with another that, as far as possible, achieves the same objective.

12 - APPLICABLE LAW AND JURISDICTION

12.1 The validity, interpretation and/or execution of the Privacy Policy shall be governed entirely and exclusively by the laws of the United Arab Emirates, to the maximum extent permitted by the applicable rules of private international law.

12.2 In the event of any dispute relating to the validity, interpretation or implementation of the Policy, the courts and tribunals of Ajman (UAE) shall have exclusive jurisdiction, to the extent permitted by the applicable rules of private international law.

12.3 Before taking any step towards the judicial resolution of a dispute, the Data Subject and ASOMobile undertake to try to resolve it amicably. To this end, they will first contact each other before resorting, if necessary, to mediation, arbitration or any other alternative method of dispute resolution.