

# Netikino privacy notice

*These terms are valid as of 05.12.2019.*

Your privacy is important to Netikino and Netikino does its best to protect your personal data that has become known to Netikino. In this privacy notice Netikino explains what personal data, on which purposes and for how long is processed by Netikino and what are your rights and how you can use these rights with regard to your personal data. By visiting and using Netikino cinema portal and web shop you are accepting the practices described in this privacy notice. If you do not wish to share your personal data with Netikino and its partners please refrain from visiting and using Netikino. If you have any questions, please contact Netikino via e-mail [info@netikino.ee](mailto:info@netikino.ee).

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### 1. Introduction

Netikino is operated by Estonian company Energiasäästu Invest OÜ (registry code 11991353; address at Sõpruse pst 151, 13417 Tallinn, Estonia) and the latter is therefore the controller, i.e. person who is deciding what kind of personal data and on which purposes to collect.

Netikino processes your personal data to be able to provide you the services offered (enabling on-demand programme watching and purchasing from Netikino web shop) on Netikino's webpage and to better Netikino's webpage and provision of services.

With regard to your personal data you have many rights. For example you may ask from Netikino access to, rectification or erasure of your personal data. You may also restrict the processing of your personal data and object to such processing. In addition you have the right to lodge a complaint to supervisory authority. All the listed rights and how to use them are explained in more detail below in section 9.

### 2. What personal data is Netikino processing

Netikino would like to explain that "personal data" is any information related to you, such as name, e-mail address, but also your preferences when deciding on a programme etc.

Here are the examples of what kind of personal data Netikino may process: Your name; e-mail address; contact address telephone number; age; the Netikino code as given to you; payment method(s) and information, such as payment ID and financial status, account number and bank information; location; the languages you speak; taste preferences with regard to the programmes you choose; time and place you watch the programmes; your preferences in our web shop; your interaction with us via e-mail etc.; information regarding your computer or other devices used by you, such as device ID; device and software characteristics, such as connection information; information collected via cookies (see our [policy](#)).

### **3. Where does Netikino get your personal data from**

Netikino gets your personal data directly from you when you purchase movies or other products from Netikino, send Netikino an e-mail and send us feedback about Netikino's services or in any other way answer to Netikino's questions, choose payment method(s) and/or any other way reveal your taste preferences.

Netikino collects your personal data automatically when you use the services Netikino provides you. For example when you choose to watch a programme made available by Netikino in your device.

Netikino gets your personal data from other sources. For example from payment service providers, IT service partners and very rarely also from public sources like media and government databases.

### **4. Why Netikino processes your personal data (purpose)**

Netikino uses your personal data for various legitimate purposes and the examples are hereby explained.

Netikino processes your personal data to provide you services, such as on-demand programme watching, and to sell you in our web shop various products. Without any personal data it is not possible for Netikino to make programmes available for you or to sell you products in our web shop.

Netikino also processes your personal data to maintain and better the services that Netikino offers. For example, by processing your personal data Netikino may improve its web-page by offering the information in more languages. Netikino can also make additions to its programme library or add products to the web shop, based on the choices you make, help you to get better services and ensure that you can watch the programmes everywhere in the world. Additionally, Netikino would like to offer you personalized services, including content and ads and for that reason Netikino may process your personal data.

Netikino processes your personal data to ensure and improve safety of Netikino's services and among others to prevent and respond to fraud, offences against Netikino's and other person's intellectual property rights.

Netikino processes your personal data to communicate with you with regard to services provided

by Netikino. For example Netikino may communicate with you via e-mail to respond to your inquiries.

## **5. Legal basis of the processing**

Netikino ensures that the processing of your personal data has a legal basis.

Netikino processes your personal data to enter into a contract with you, based on and to fulfil such contract you have entered into with Netikino to use the services that Netikino provides. The contract is deemed to be concluded after you have successfully executed the payment, in case of watching payable movies and purchasing the products from our web shop. Netikino may also offers access to movies for free and in that case the contract is deemed to be concluded as of you start watching the free movie.

Netikino also may process your personal data based on Netikino's legitimate interests. Such legitimate interests are to maintain and better the services that Netikino offers as described above in section 4.

Netikino may also have an obligation deriving from the law to process your personal data. For example preventing fraud and other offenses.

## **6. Children using Netikino**

Children are allowed to use Netikino's services, such as on-demand programme streaming and purchasing products from Netikino web shop, provided that they have a permission of a parent or a guardian. However, Netikino does not intentionally collect data about your age.

## **7. To whom Netikino discloses your personal data**

Netikino may disclose your personal data to such Netikino's service providers, without whose services Netikino cannot offer you services. Netikino has contractual relations with third parties, inter alia, to get following services: IT and infrastructure; project management; marketing and advertising; communication; payment; programme streaming, postal- and delivery service, and also with the owners of the intellectual property rights related to the programmes. In the course of providing Netikino the listed services the third party service providers may gain access to your personal data. Netikino does not guide the third party service providers to use your personal data in any other way than in connection with providing their services.

Netikino's services may also be provided through or linked to third party platforms or third party service providers (for example Vimeo and EveryPay). Therefore Netikino encourages you to familiarize third party service provider's privacy statements as they may be different from this privacy notice.

Netikino also may disclose your personal data in connection to any business transfer, such as restructuring, merger, sale, etc. In the described situation Netikino does everything to ensure that

your personal data is processed in accordance with this privacy notice.

Netikino may also be obliged to disclose your personal data to any person (for example your legal guardian) and governmental and administrative bodies (data protection authorities, police, courts, tax and customs boards, etc.) and to collective representation organizations acting in the intellectual property field, as such an obligation may derive from the law.

In case Netikino has to disclose your personal data to countries or companies outside European Economic Area, Netikino will follow all necessary requirements provided by the applicable law.

## **8. Storing your personal data**

Netikino does not store your personal data longer than it is necessary for the purposes for which the personal data is processed.

Netikino follows the applicable law when determining for how long Netikino has to store your personal data.

In case the applicable law does not provide any mandatory storage time period, Netikino will store your personal data throughout the time limit you or Netikino may file any claims against the other party or the supervisory authority.

## **9. Your rights and how you can use them**

With regard to your personal data you have the following rights:

**Right to access** - this means that you can ask Netikino to confirm that Netikino is processing your personal data. If Netikino is processing your personal data, then for example you may ask for the following information from Netikino: purpose of processing; what kind of data Netikino is processing; to whom Netikino has or will disclose your personal data; information about your rights; source of your personal data.

**Right to rectification** - this means that you may let Netikino know that the personal data Netikino is processing is not accurate and you may ask Netikino to rectify such inaccurate information.

**Right to erasure** - this means that if the conditions provided by the law (for example the personal data is no longer necessary in relation to the purposes for which it was processed; the personal data has been unlawfully processed; the personal data has to be erased to comply with the applicable law) are met, you may ask Netikino to erase your personal data. Netikino adds that right to erasure is not without its limits and Netikino does not have to erase your personal data if the personal data must be kept due to obligations deriving from the law or for the establishment, exercise or defense of legal claims.

**Right to restriction of processing** - this means that if the conditions provided by the law are met (for example the accuracy of the personal data is contested; the processing is unlawful, but you do

not wish the data to be erased; Netikino does not need the personal data for the purposes of the processing, but you might need it to handle claims) you may ask Netikino to refrain from processing your personal data. If you have lawfully restricted the processing, Netikino still has the right to process your personal data to handle claims and based on your consent. Netikino explains however, that without data processing the services offered on Netikino webpage are not usable.

Right to data portability - this means that you may ask Netikino to transmit the personal data you have provided Netikino to another controller, if the processing is based on your consent or contract and is carried out by automated means and if such operation is technically possible.

Right to object - this means that you may object to processing of your personal data which is based on legitimate or public interests and Netikino will stop processing your personal data if there are no legitimate grounds for continuing the processing. You may also let Netikino know that you no longer wish Netikino to process your personal data for direct marketing purposes.

To exercise any of the above described rights please send Netikino an e-mail with your request at [info@netikino.ee](mailto:info@netikino.ee) and Netikino will respond to your request within 30 days.

Right to lodge a complaint to the supervisory authority - this means that if you are of opinion that the processing of your personal data infringes general data protection regulation as provided in regulation (EU) 2016/679, then you have the right to file a claim to the supervisory authority in the European Union Member state where you reside, where you work or where the alleged infringement took place.

Netikino may change this privacy notice due to changes in applicable law and Netikino's business and practice. Netikino will always publish up to date version of this privacy notice on its website, where it is always accessible for you.