

# Privacy Policy

Last edited October 3, 2023

## Definitions

In this Policy, the words “Orbcreation”, “we”, “us” or “our” refer to:

Orbcreation BV, registered by the Dutch Chamber of Commerce under number 54234808.

This policy is applicable to:

- All versions of the Sailaway software
- The sailaway.world website
- All web pages and web services under <any subdomain>.sailaway.world
- Any support applications and tools provided by “us” and related to the Sailaway software

The items in this list can be referred to by the words “service”, “services”, “tools”, “application”, “software” or “simulator” in this Policy.

This policy also applies to any other activities that make this policy available to you.

## Bottom line

We are interested in sailing, not in your data.

## Contact

For questions regarding this policy, our data practices, or our compliance with applicable laws, please contact our data security officer via email: [info@sailaway.world](mailto:info@sailaway.world)

## General

We process personal data only when necessary for the performance of our services, for compliance with a legal obligation to which we are subject, or based on our legitimate interests, except where such interests are overridden by your interests or fundamental rights and freedoms which require the protection of your personal data.

Our legitimate interests are to render and improve our services in an effective, safe and harmless manner. We want to provide everyone with a fair and balanced experience when using our services.

## Anonymity

We do not disclose your name or email address as given to us in relation to your aliases and avatars you use in our services.

## Information security

We maintain reasonable and appropriate security safeguards designed to protect your information from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction, taking into due account the risks involved in the processing and the nature of the information.

## Third parties

Third parties may have access to your nickname and sailing information of your boats through the Sailaway API system.

## Children

We recognise that we have a special obligation to protect personal information obtained from children. We do not knowingly collect personal data from any child, or process such information, without parental consent. For the purpose of this policy, a child means any individual who is under the age of 18 (or the minimum legal age to consent to the collection and processing of personal data where this is different under applicable law). If you are a parent or guardian and believe we have collected your child's information in violation of applicable law, please contact us so we can remove the information in accordance with applicable law.

## Data retention

We keep any data necessary for our services described in this policy for as long as you have an active account in one of our tools. We will delete your personal data after you request your account to be deleted by sending an email to [info@sailaway.world](mailto:info@sailaway.world).

## Information we collect

In relation to your use of our services, we collect information either directly from you (when you provide information to us) or indirectly (e.g. the use our services).

### Directly collected information

We collect personal data and other information that you provide to us. This includes your email address, nick name, pictures and any information that you enter directly and explicitly into our services.

### Indirectly collected information

We indirectly collect a variety of information through your interaction with and use of our tools and services. This includes:

- information on the hardware and software used to run our service
- sailed routes and current location of your boats
- events your boats participated in and your achievements in those events
- all information needed to compute the sailing performance of your boats
- geographic location based on your IP-address when buying any product related to our service for tax purposes only.
- statistical and aggregated information that does not directly identify a specific person.

## Tracking data and cookies

The service only uses cookies to store login information and session information on your computer. This prevents you from having to log in every time you use the service. We do not use any tracking cookies or other identification methods, nor do we use any third party services that require cookies.

## How your information is used

We need to process your personal data in order to perform the services for you. We will use your personal data, unless otherwise prohibited by law, for the following purposes:

- to provide you with the services and tools , i.e., to; allow your use of the services and tools
- to communicate with you about your account or transactions with us and send you information about features on our services or changes to our policies
- to provide support including, but not limited to, services and tools updates, patches and fixes and other similar communications
- all information relevant for the service except your email address and ip-address may be visible to other users of the software.

## Communication purposes

All communication to you will be related to our services and tools

## Your rights

### Right to object

Where processing of your personal data is based on legitimate interests, you can use your right to object at any time. If you object we will no longer process your personal data unless there are compelling and prevailing legitimate grounds for the processing or the data are necessary for the establishment, exercise or defense of legal claims.

### Right of access

You have the right to access your personal data that we hold about you, i.e. the right to require free of charge (i) information whether your personal data is retained, (ii) access to and/or (iii) duplicates of the personal data retained. Normally, we provide the duplicate of the personal data retained within 30 (thirty) days upon your request. Once the archive with the personal data we retain is ready, you will be able to download it from our resources. If the request affects the rights and freedoms of others or is manifestly unfounded or excessive, we reserve the right to charge a reasonable fee (taking into account the administrative costs of providing the information or communication or taking the action requested) or refuse to act on the request. We also will not be able to provide you with some personal data that you may

post or provide using our services regardless of your request to provide the personal data in this particular field, website, etc.

## Right to rectification

You control which nickname, email, we associate with your account. If they change, please modify the data in the profile directly. Please inform us if any of the personal data we retain about you is inaccurate.

## Right to erasure

You have the right to obtain deletion by us of personal data concerning you. Please remove the data in the profile directly.

Complicated account deletion. In some cases, deletion of your account, and therefore personal data deletion, is complicated. Namely, if you are a host or committee member. Considering the complexity and number of the requests, the period for personal data erasure may be extended.

## Complaints

If you have any issues with our compliance you may contact us at [support@sailaway.world](mailto:support@sailaway.world). You also have the right to lodge a complaint with the data protection regulator in your jurisdiction.

## Changes to this policy

We may change this Policy from time to time for various reasons, such as legal and regulatory changes, changes in industry practices and technological developments that need to be reflected. If the changes are material, we may provide you additional notice to your email address.