

Privacy Statement

In the event of any conflict between the English and German versions of this Privacy Statement, the German version shall prevail.

DiALOGiFY AG, Gotthardstrasse 28, 6300 Zug, Switzerland ("DiALOGiFY") operates a service for the tendering and acceptance of certain tasks and/or dialogues, so-called «Dialogues» (the "Service"). Depending on the type of campaign, the Service is accessible via the website www.DiALOGiFY.io ("Website"), via an individual URL («Web browser») and/or an application software for smartphones ("Scoutsss App") (all together the "Platform").

Our Privacy Statement describes which personal data DiALOGiFY collects, processes and uses about you when using the Platform. Personal data is all information that relates to an identified or identifiable natural person, i.e. information that makes it possible to identify a specific person.

1. Responsible person

The collection and processing of personal data collected from you when using the Platform is carried out by DiALOGiFY AG, Gotthardstrasse 28, 6300 Zug, Switzerland.

2. Contact, representative and data protection officer

If any general questions arise regarding this Privacy Statement and data protection at DiALOGiFY or if you wish to exercise your rights in relation to data protection (see section 9 below), please contact us by e-mail at hello@dialogify.io or by post at DiALOGiFY AG, Gotthardstrasse 28, 6300 Zug, Switzerland.

3. Data subjects

This privacy statement applies to the collection and processing of personal data of users of the Platform.

4. What personal data does DiALOGiFY process, for what purposes and on what legal basis?

4.1. In general, DiALOGiFY strives to store just enough data about you to offer you the full range of features with the highest possible security. In order for DiALOGiFY to be able to offer you the usage options in accordance with the contract, DiALOGiFY collects and processes personal data. DiALOGiFY does not create movement profiles of its members without their consent and does not make any automated decisions.

In particular, the purpose of gathering and processing Personal Data and other information by DiALOGiFY is:

1. to provide you with, maintain and facilitate the full range of features as well as to ensure safe and guaranteed service performance, upgrade and improve the functionality of usage,
2. to provide you with access to your Personal Data and maintain this access via standard API methods for the duration of usage of the platform,

3. to secure (establish, investigate or defend) your, as well as DiALOGiFY claims that may arise due to the usage of the platform,
4. to stay connected with you to present an up-to-date offers, instructions or tips related to the usage of the platform.

4.2. DiALOGiFY collects various categories of personal data from you or from third parties, more specifically, you actively provide us with such data (e.g. by sending us an e-mail). Below you will find an overview of the data categories and the purposes for which we process such personal data. Our data processing is justified on the one hand by the fulfilment of the contract and on the other hand by your consent.

DiALOGiFY collects data during your registration, when your profile is changed and in connection with the use of the Service. This data is used within the scope of our General Provisions of Service, for the performance of our services, for internal processes, e.g. for troubleshooting, for data analysis, for tests, and for the improvement and further development of our services. This also includes the operation and improvement of AI-powered features on the Platform, such as automated response suggestions, context-based recommendations, and personalised dialogue flows, where applicable. Such processing is performed in accordance with applicable data protection laws, using anonymised or pseudonymised data whenever possible.

Below you will find a selection of the most important personal data collected in the course of this process. If you do not use the DiALOGiFY Scoutsss App, the following «Scoutsss App only» text is not relevant for you.

- Your e-mail address;
- Your first and last name;
- Your address;
- Your telephone number (mobile and/or landline);
- Your date of birth;
- Your gender;
- The Internet Protocol address (IP address) of your computer or smartphone and name of your internet service provider. We collect these two categories of data in order to obtain more information about the use of our Platform and, in particular, to improve it. When you visit our Platform or use it in any other way, we collect and store "visitor information" from you. This visitor information contains the above-mentioned data categories, the date and time of your access and the Internet address of the website from which you accessed our Platform;
- Information from your Facebook account. If you choose to register with your Facebook account, we store information that you provide on your public Facebook profile in addition to the email address that you have linked to your Facebook account. «Scoutsss App only»
- Information from your Apple account. If you choose to register with your Apple account, we store your Apple ID/email address and your first and last name. «Scoutsss App only»
- Payment information concerning you. For payouts, we also process payment information such as your name, first name, address and other payment details. Payouts via PayPal are made via the payment transfer of PayPal. The entire data exchange during the payment process takes place exclusively via PayPal; «Scoutsss App only».
- Your GPS data, if applicable. If you enable location services and messaging, we may also send you location-based messages. These messages are used to notify you of Dialogues near your current location

without opening the Scoutsss App. To do this, the smartphone operating system will check your location to complete location-based Dialogues. «Scoutsss App only»

- Information regarding the hardware you are using, such as manufacturer, brand, model, operating system or version.

4.3. When participating in certain Dialogues, further specific information related to the Dialogue can be requested. Generally, DiALOGiFY does not link personal data to the answers given in such a Dialogue. Please note, however, that if you provide information, including personal data, in this Dialogue, or if you give your consent before you start the Dialogue or during the Dialogue, your personal data will be linked to the answers from the Dialogue and this data will be sent not only to DiALOGiFY but also to the respective Dialogue Initiator.

Use of AI in the Dialogue Context:

For certain Dialogues, we use artificial intelligence technologies to automate responses and interactions. Personal data you provide in the Dialogue is technically separated from AI processing. The AI only receives the anonymised or pseudonymised content required for the respective Dialogue, so that no direct link to your identity is possible.

4.4. Based on the personal data in your profile, DiALOGiFY will keep you informed about Dialogues that are of interest to you. You have the possibility to change, adjust or delete your personal data in your profile at any time. Please note that you might not be invited for all available Dialogues afterwards. If you have any questions or concerns, or if you wish to access, update, amend, correct or delete, any of your Personal Data we store and process, please contact us at hello@dialogify.io.

4.5. If in a Dialogue you allow to receive invitations to follow-up Dialogues (email and/or SMS), your personal data in your profile will be used to send you these invitations. In the follow-up Dialogue you have the possibility to unsubscribe from follow-up Dialogues of a campaign at any time. Your personal data will then be saved, but you will not receive any follow-up Dialogues from the respective campaign. You can change, adapt or delete your personal data in your profile at any time. Please note that you may not be invited to participate in any follow-up Dialogues after you have done so.

4.6. Please note that we will only process your personal data for other purposes if we are obliged to do so by law (e.g. transmission to courts or law enforcement authorities), if you have consented to the respective data processing or if the data processing is otherwise legally permissible under applicable law. If data is processed for another purpose, you might receive further information from us.

4.7. Non-personal (anonymous) data, such as statistics about the device you use (e.g., smartphone) or transaction data from which all personal information has been removed, cannot be used to identify you. We use such data, among other things, to continuously improve the performance and offering of the Platform. This may include the use of artificial intelligence technologies, including generative AI. These technologies operate exclusively on anonymised or aggregated data that cannot be used to identify you. Generative AI is not used to process personal data.

5. Recipients and categories of recipients

5.1. Any access to your personal data at DiALOGiFY is limited to those persons who need such data to perform their professional duties.

5.2. Your personal data will only be passed on to a third party in anonymous form, unless you have given your consent for the data to be passed on in non-anonymous form and/or you have entered/confirmed this data yourself in the Dialogue.

5.3. The Dialogue Initiator of a particular Dialogue also has access to data that you enter in the context of a Dialogue launched by him. This means that the Dialogue Initiator is the data owner of the Dialogue and has the possibility to export the data of his Dialogue. Therefore, the Dialogue Initiator's privacy statement is also relevant for you. It provides you with information about how the Dialogue Initiator handles your data.

5.4. Your personal data will only be passed on to third parties (e.g. to courts or criminal prosecution authorities) if we are obliged to do so by law, if you have given your consent, or if the transfer is otherwise legally permissible.

5.5. DiALOGiFY may transfer your personal data for the respective purposes, in particular to the recipients and categories of recipients listed in clauses 5.3, 5.4, 5.6 and 5.7.

5.6. We are dependent on the services of third parties, i.e. contract processors, such as our data center. Your data is always protected in any case. In order to use technical or organizational services of third parties that we need to fulfill the purposes stated in this Privacy Statement or our other business activities, personal data of our users may be stored in the systems of such processors. This includes, for example, your contact details, which are stored in encrypted form in a data center in the EU, or your email address in our support system. Our processors are subject to local data protection laws and are also contractually obliged to process personal data exclusively on our behalf and according to our instructions. This also applies to third-party technology providers that support our AI-powered functions, where personal data may be processed in a pseudonymised or anonymised manner to enable machine learning models and related automation features. We also oblige our contract processors to comply with technical and organisational measures that ensure the protection of personal data.

5.7. DiALOGiFY will only disclose your information to governmental authorities, courts, external consultants and similar third parties that are public entities, if we are obliged, required or permitted to do so by applicable law.

6. International data transfer

Some of the recipients of your data, in particular our processors, are located outside the EU/EEA or Switzerland, so that the applicable laws guarantee a different national level of data protection than that provided for in European or Swiss data protection law. Within the scope of this Privacy Statement you agree that certain recipients of your data, in particular the Dialogue Initiators of a Dialogue, are subject to a different level of protection than DiALOGiFY itself.

7. Storage duration

Your personal data will be stored by DiALOGiFY and/or our contract processors only to the extent necessary to fulfil our obligations and only for the time necessary to achieve the purposes for which the personal data is collected. This is done in accordance with the applicable data protection law. If DiALOGiFY no longer needs your personal data, we will delete such data and/or take the necessary steps to anonymise such data in the proper manner. This does not apply if we are obliged to keep the data for a longer period of time, especially in order to comply with legal retention obligations. For example, personal data contained in contracts, notices and business letters may be subject to statutory retention obligations, which may require retention for up to 10 years.

8. What does DiALOGiFY do to protect your data?

DiALOGiFY takes care of the necessary technical and organizational measures to protect your personal data in the best possible way and to guarantee their security. The communication between DiALOGiFY and you is completely encrypted by the standardized protocol TLS/SSL.

9. How can I learn more? What are my rights?

9.1. Customer support: For help with the use of the Scoutsss App you can always contact our support at hello@dialogify.io or consult the "Help & Feedback" section.

9.2. Revocation of consent: If you have declared your consent to the processing of personal data, you may revoke this consent at any time with effect for the future. However, such a revocation has no influence on the lawfulness of the processing of your personal data that took place before you have revoked your once given consent. Please note, however, that we can no longer provide our services if you revoke your consent to process your data.

9.3. Overview of rights: Pursuant to applicable data protection laws, you may have the following rights (these vary depending on the data protection laws that apply to you): (9.4) right to information, (9.5) right to rectify personal data, (9.6) right to have your personal data deleted ("right to be forgotten"), (9.7) the right to limit the processing of personal data, (9.8) the right to data transferability, (9.9) the right to object to the processing of personal data and (9.10) the right to complain to a supervisory authority. Please note that the above rights may be limited by applicable national data protection law.

9.4. Right to information: You have the right to ask us to confirm whether personal data concerning you is being processed. If this is the case, you have the right to obtain information about this personal data. The right to information covers in particular information on the purposes of processing, the categories of personal data processed and the recipients or categories of recipients to whom the personal data has been or will be disclosed. Please note that the right to information is not an absolute right and that legitimate interests of other persons may lead to a limitation of the right to information.

9.5. Right to rectify personal data: You have the right to request the rectification of inaccurate personal data concerning you. Often you also have the possibility to correct this data directly on the Platform. Taking into account the purposes of the data processing, you also have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

9.6. Right to deletion ("right to be forgotten"): If the appropriate prerequisites are met, you may demand that the personal data concerning you be deleted immediately. Please note, however, that we can no longer provide our services and must exclude you from using our services if you exercise your right to be forgotten, i.e. the deletion of all data collected about you.

9.7. Right to limitation of data processing: If the relevant prerequisites are met, you may demand limitation of data processing. In such case, the personal data in question will be marked accordingly and, if necessary, processed only for specific purposes. Please also note that we can no longer provide our services and must exclude you from using our services if you restrict the processing of your data.

9.8. Right to data transferability: If the appropriate prerequisites are met, you have a right to data transferability with regard to the personal data concerning you that you have provided us with, i.e. the right to receive this data in a structured, common and machine-readable format and, if necessary, to transfer this data to another person responsible without being hindered by the person (DiALOGiFY) to whom the personal data was provided.

9.9. **Right to object:** Under certain circumstances, you have the right to object to the processing of personal data concerning you for reasons arising from your particular situation. This also applies to related profiling. You also have the right to object to the processing of your personal data for direct marketing purposes at any time and free of charge. The same applies with regard to the processing of personal data, including profiling, insofar as it is related to direct marketing. Please note, however, that we can no longer provide our services to you as a result of your objection and must exclude you from using our services if you exercise your right of objection.

9.10. **Complaint to a supervisory authority:** If you live in an EU Member State, you have the right to make a complaint to a supervisory authority.

10. Data collection and other services like our newsletter

DiALOGiFY collects your data both actively and passively. For example, by creating a user profile and participating in various Dialogues, you actively provide us with data. On the other hand, in the course of the normal operation of the Platform, certain data in connection with your visit to the Platform is automatically or passively collected from or about you. Our servers may automatically collect visitor information (as mentioned in clause 4.2 above), or how many companies we (or our processors) may use cookies and other tracking technologies (such as pixels, beacons, tags and Adobe Flash technology) to collect, store and track information about your use of the Platform. This information helps us to provide, improve and personalize our Platform. This may also include using cookies and similar technologies to enable and optimise AI-powered personalisation features, such as remembering previous dialogue contexts, improving automated responses, and tailoring recommendations to your interactions.

For more information about how we use cookies and other similar technologies, please refer to our [Cookie Policy](https://www.dialogify.io/en/cookie-policy/) (www.dialogify.io/en/cookie-policy/).

11. Subscription to our Newsletter

11.1. With DiALOGiFY you have the possibility to be informed about the latest services and Dialogues via a newsletter. Which personal data is transmitted to the person responsible for the data processing when you order the newsletter will be indicated to you when you register for the newsletter (e.g. as text information next to the opt-in or as part of the input mask used for this purpose).

11.2. You can only receive the newsletter if (1) you have a valid email address or mobile number and (2) you register for the newsletter. For legal reasons, we will send you a confirmation email/SMS to the email address or mobile number registered for the newsletter for the first time, so that you have the opportunity to confirm your registration (so-called double opt-in procedure). This confirmation mail/SMS serves the purpose of checking whether you, as the owner of the email address/mobile number, have authorized the receipt of the newsletter, unless you accept the newsletter in your personal account, in which the email address/mobile number used has already been checked by means of the double opt-in procedure.

11.3. When you register for the newsletter, we also save the IP address assigned by the Internet Service Provider (ISP) of the computer system you are using at the time of registration as well as the date and time of your registration. The collection of this data is necessary in order to be able to trace a (possible) misuse of your email address/mobile number at a later time and therefore serves to provide legal protection for the person responsible for the data processing.

11.4. The personal data collected in connection with registration for the newsletter will be used exclusively for sending the newsletter, unless you have agreed to further use. Furthermore, as a subscriber to the newsletter, you could be informed by email/SMS if this is necessary for the operation of the newsletter service or a registration in this regard. This could be the case, for example, if there are changes to the newsletter service or if the technical conditions change. We will not pass on your personal data collected within the scope of the newsletter service to third parties unless you have explicitly agreed to this passing on. You can cancel your subscription to the newsletter at any time. You can revoke your consent to the storage of personal data that you have given us for the newsletter service at any time. For the purpose of revoking your consent, you will find a corresponding link in every newsletter. You can also inform us about your wish to unsubscribe at any time by e-mail at hello@dialogify.io.

12. Adaptation of this Privacy Statement

This privacy statement may need to be updated from time to time - for example, due to the introduction of new technologies or the launch of new services. We therefore reserve the right to change or amend this Privacy Statement at any time. You will be notified of any changes when you login/open your DiALOGiFY account (Scoutsss App or web) and/or in the DiALOGiFY dashboard.

This Privacy Statement was last updated on 1.7.2024 to include information on the use of AI-powered features and related data processing activities.