

Privacy Policy

Effective Date: November 1, 2018

ECOMAIL.CZ, s.r.o., ID No: 027 62 943, seated at Na Mlejнку 764/18, Braník, Post Code 147 00 Prague 4, acting by Jakub Stupka, incorporated at Municipal Court in Prague, section C, insert 223183, an email marketing company (“**Ecomail**” or “**we**”), respect your concerns about privacy.

Ecomail provides a website <https://topol.io/> and its relevant services as stated below. Please read carefully this privacy policy as it provides important information about privacy practices. If you have any questions about this privacy policy, please contact us at support@topol.io.

We provide this privacy policy to inform you about our online information practices, the kinds of information we may collect, how we intend to use and share that information, and how you can request access, correction, portability, or deletion of such information.

1 Definitions

“**Customer**” is referring to the person or entity that is registered with us to use the Services.

“**User**” or “you” is referring to Customers and/or to some other individual who visits any of our Websites.

“**Personal Information**” is any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

“**Process**” or “**Processing**” means any operation which is performed upon Personal Information, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use,

disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction

“**Services**” are services that are accessible at our Website

“**Website**” means our website <https://topol.io/> (including any third-level-domain and sub-domains)

“**Topol.io**” is an online free to use email editor that enables users to create responsive email using a drag-&-drop user interface

“**Topol.io Plugin**” is a JavaScript web plugin that is a web plugin, easily embeddable in other software/web applications, and used for the purpose to allow users of those applications to create email messages using a drag-&-drop user interface

“**Topol.io Pro**” is an online charged email editor named “Pro Version”, that enables users to create, save and edit an email message using a drag-&-drop user interface

“**Newsletter**” an e-mail to get regular updates from us

This online Privacy Policy applies only to information collected through our Website and Services and not to information collected offline.

2 Information we collect about you and how we collect it

We do not collect any unnecessary volume of information, or any unnecessary information, or any information that is unsuitable for achieving the purpose described in this Privacy Policy. We collect your Personal information in the following ways.

Information you voluntarily provide to us: When you sign up for and use the Services, consult with our customer service team, send us an email, integrate the Services with another website or service (Topol.io Plugin), or communicate with us in any way, you are voluntarily giving us information that we collect. That information may include your name, physical address, email address, IP address, phone number, billing information, as well as details including occupation, location, purchase history, and other demographic information. From our Customers that elect to use Topol.io Plugin or Topol.io Pro, we use this information in order to communicate with them and fulfill our contractual obligations. On that behalf this information is being

collected, used, disclosed, transferred, and stored by us. We do not and will not collect and store your credit card number.

Information we collect automatically: When you use the Services, we may collect information as you use the Website, your usage of the Services, and your web browsing. That information may include your IP address, your operating system, your browser ID, your browsing activity, and other information about how you interacted with our Website or other websites.

Information from your use of the Services: We may receive information about how and when you use the Services, store it in log files or other types of files associated with your account, and link it to other information we collect about you. This information may include, for example, your IP address, time, date, browser used, and actions you have taken within the application. This type of information helps us to improve our Services for both you and for all of our Customers.

Information from other sources: We may, from time to time, obtain information about you from third party sources, such as public databases, third party data providers, and our joint marketing partners. We take steps to ensure that such third parties are legally permitted or required to disclose such information to us

Personal Information related to the use of our Newsletters. We may send newsletters to our Customers to promote our Services and to users that request information about our Services. We use this information in order to communicate with you.

Special category of Personal data. Sensitive Personal Data includes Personal Information regarding EU-residents that is classified as a “Special Category of Personal Data” under the EU law. We do not collect Sensitive Personal Data from you.

3 Use and disclosure of Personal information

We may use and disclose your Personal Information only for the following purposes:

To promote use of our services to you and others. We may provide you with information, products, or services that you request from us. If you use any of our Services and we think you might benefit from using another Service we offer, we may

send you an email about that. You can stop receiving our promotional emails by following the unsubscribe instructions included in every promotional email we send.

To provide, support, and improve the Services we offer. To communicate with our Customers about their account and provide them support. This includes, for example, aggregating information from your use of the Services and sharing this information with third parties to improve our Services. When we do have to share Personal Information with third parties, we take steps to protect your information by requiring these third parties to enter into a contract with us that require them to use the Personal Information we transfer to them in a manner that is consistent with this policy.

To export your e-mail template to your gmail account. To export your templates directly to your gmail account, it is necessary to connect your gmail account to Topol.io. Once you give us permission to connect Topol.io to your gmail account we may see the management of drafts. We use this data only to provide accurate Topol.io service.

To process Customers payments and to create and manage their accounts. Sending you email, invoices in order to bill and collect money, even money owed to us. In order to secure credit card transaction processing and to process your orders and credit card payments we send billing information to the third parties.

To send you important messages about the Services. For example, we may inform you of temporary or permanent changes to our Services, such as scheduled maintenance.

To respond to your inquiries. For example, if we determine that access to the Services should be restricted in any particular instance, we will provide you with an explanation of why that determination has been made and a contact point for any further inquiries. To protect your privacy, we will take reasonable steps to verify your identity before granting access to or making any changes to your Personal Information.

To perform data analysis. Including anonymization and aggregation of personal information.

To operate, evaluate and improve our business (including developing new products and services; enhancing and improving our products and services; managing our communications; analysing our products and customer base; performing data analytics; and performing accounting and other internal functions);

To enforce compliance with our Terms of Use and applicable law. This may include developing and using tools that help detect fraud and prevent violations.

To protect the rights and safety of our Customers and third parties, as well as our own.

To meet legal requirements, including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.

To provide information to representatives and advisors, including attorneys and accountants, to help us comply with legal, accounting, or security requirements.

To prosecute or defend a court, arbitration, or any other legal proceeding.

To respond to lawful requests by public authorities, including to meet national security or law enforcement requirements.

To transfer your information in the case of a sale, merger, consolidation, liquidation, reorganization, or acquisition.

4 Disclosure of Personal Information to Third Parties

We never use or share Personal Information in ways unrelated to the ones described in this Privacy Policy, and we will not do so in the future without providing you an opportunity to opt-out or otherwise prohibit such unrelated uses.

All third parties we work with enter into a contract with us that requires them to use the Personal Information only for the provision of services to us and in a manner that is consistent with this Privacy Policy. Unless we are obliged to fulfill the legal obligations, we may disclose Personal Information to the following types of processors for the purposes described in this Privacy Policy.

Service Providers – third party service providers that help us to provide our Services for you. For example, it may be payment processors or hosting services.

Advertising partners - third party advertising entity that enabled us to display advertising on our Website or to manage and serve our advertising on other sites and may share your Personal Information with them for this purpose.

To provide the Topol.io Services Ecomail only uses processors from the EU or from countries that are considered as safe according to the European Commission's decision.

Information Disclosed for our Protection and the Protection of Others. We may disclose information about you to third parties: (a) if we are required to do so by law, court order or legal process; (b) in response to lawful requests by public authorities, including to meet national security or law enforcement requirements; (c) under the discovery process in litigation; (d) to enforce our policies or contracts; (e) to collect amounts owed to us; or (f) if we, in good faith, believe that disclosure is otherwise necessary or advisable. In addition, from time to time, server logs may be reviewed for security purposes including, for example, to detect unauthorized activity on the Services. In such cases, server log data containing Personal Information may be shared with law enforcement bodies so that they may identify users in connection with their investigation of the unauthorized activities.

We do not sell or otherwise disclose personal information we collect about you, except as described in this Privacy Policy. We never use or share personal information in ways unrelated to the ones described in this Privacy Policy, and we will not do so in the future without providing you an opportunity to opt-out or otherwise prohibit such unrelated uses.

We do not collect any unnecessary volume of information, or any unnecessary information, or any information that is unsuitable for achieving the purpose described above.

Ecomail primarily stores Personal Information sent or collected via or by Topol.io in the European Union or United States (as applicable), in the cloud, our servers, the servers of our group of companies, or the servers of our Service Providers.

5 Email and Newsletter Policy

We send our newsletters in accordance with the GDPR and applicable laws of Czech republic. It means will send marketing messages to our Customers or to users they

have subscribed to our newsletters. We will not send marketing messages you do not have opted out. You can choose not to receive messages in the future by following the “unsubscribe” instructions located near the bottom of each email. We will not share, sell, rent, swap or authorize any third party to use your email address for commercial purposes without your permission. If you feel you have received an email from us in error, please contact support@topol.io.

6 Third party links

Occasionally, at our discretion, we may include or offer third party products or services on our Website. These third party sites have separate and independent privacy policies. We therefore have no responsibility or liability for the content and activities of these linked sites. Nonetheless, we seek to protect the integrity of our Website and welcome any feedback about these sites.

7 Credit card number and billing information

With regard to payment information for Topol.io Plugin and Topol.io Pro subscriptions, we use [Braintree](#) as the payment gateway and merchant account provider. You can find more information about their privacy and security policies [here](#).

8 How we respond to Do Not Track signals

We may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioural tracking). Certain web browsers allow you to instruct your browser to send Do Not Track (“DNT”) signals to websites you visit, informing those sites that you do not want your online activities to be tracked. We do not currently respond to those signals. If you block cookies, certain features on our sites may not work. If you block or reject cookies, not all of the tracking described here will stop.

9 Rights of access, rectification, portability, erasure, and restriction

To request access to, receive, port, restrict Processing, seek rectification or request erasure of Personal Information held about you by Ecomail, you may contact us at

support@topol.io. Such requests will be carried out in accordance with applicable laws.

Retention. The Personal Information we receive as described in this Privacy Policy are retained for as long as you use our Services or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws. Our retention periods will vary depending on the type of data involved. We do not retain Personal information longer than 2 years from your last log in to your account at our Website.

When we have no ongoing legitimate business need to process your Information, we will either delete or anonymize it or, if this is not possible (for example, because your Information has been stored in backup archives), then we will securely store your Information and isolate it from any further processing until deletion is possible

Security. We use security measures – such as storing your Personal information in an encrypted format and aggregate form – to avoid the misuse of such Information.

However, the safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping said password confidential. You must keep your username, password, or/and API key(s) secure, and never disclose them to a third party. If you have reason to believe that your passwords or Personal Information is no longer secure, please promptly notify us at support@topol.io.

Rights. You can review and change your Personal information by logging into the Website and visiting your account profile page. You may also send us an e-mail at: **support@topol.io** to request access to, receive, port, restrict Processing, seek rectification or request erasure of Personal Information held about you by Ecomail in order to provide Topol.io Services. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. You may also contact Czech Information Commissioner's Office, which is a relevant authority in a field of data protection. Úřad pro ochranu osobních údajů, Pplk. Sochora 27, 170 00 Praha 7.

Accountability. If you are an EU or Swiss citizen and feel that Ecomail as a Topol.io Services provider is not abiding by the terms of this Privacy Policy, please contact us at support@topol.io. If any request remains unresolved, you may contact the national data protection authority for your EU Member State. You have the right to complain to a data protection authority about our collection and use of your Information.

10 Changes to our Privacy Policy

We may update this Privacy Policy from time to time as it deems necessary in its sole discretion. In such a case we will provide notification of any material changes to this Privacy Policy through the Website or as otherwise required by applicable law. We encourage you to review this Privacy Policy periodically to be aware of any policy changes. This Privacy Policy is considered to be compliant with the General Data Protection Regulation (GDPR), a regulation in EU law on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA). The GDPR also addresses the export of personal data outside the EU and EEA areas.

11 Contact Information

If you have questions or concerns about this Privacy Policy and our privacy practices, you can contact Ecomail.CZ, s.r.o. at support@topol.io. Written inquiries may be addressed to: Ecomail.CZ, s.r.o., Na Zderaze 15, Prague 2, 120 00, Czech Republic