

PRIVACY POLICY OF SINGULARITY APPLICATION

Version 1.1 dated on 21/10/2021

The VAONIS company processes some of your personal data in order to provide you with the expected services from its application SINGULARITY.

The VAONIS company also process some of your personal data in our legitimate interest.

In this context, VAONIS operates as a data controller pursuant to the EU Regulation n°2016/679 and the French Data Protection Act n° 78-17 of 6 January 1978 as amended.

The data processing conducted by our VAONIS company therefore implies that we must comply with specific legal obligations arising from the regulation on the protection of personal data.

Our VAONIS company is committed to comply with these obligations.

The present privacy policy is therefore intended to present obligations and commitments of our VAONIS COMPANY in a transparent manner, in order to provide you with the best possible information regarding the processing of your personal data that we carry out in connection with your use of our SINGULARITY application.

1. DEFINITIONS

- **Personal Data:** information relating to you as an identified or identifiable natural person, according to the Regulation on Personal Data;
- **Personal Data Regulation:** EU Regulation n°2016/679, known as the "GDPR", and the French Data Protection Act n° 78-17 of 6 January 1978 as amended;
- **Processing:** operation or set of operations conducted or not conducted by using automated processes and applied to your Personal Data within the meaning of the Personal Data Regulation;
- **Controller:** VAONIS, which determines the ways and purposes of the Processing of your Personal Data described in Article 3 of this Privacy Policy;
- **Processor:** means persons who act under the authority of VAONIS and under our instructions for some Processing of your Personal Data;
- **Breach:** means a security breach arising from an accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, your Personal Data;
- **Application:** means the application SINGULARITY, which is published and operated by our company VAONIS;
- **VAONIS telescope:** new generation of telescopes developed and distributed by VAONIS company and operating with SINGULARITY Application;

- **General Terms of Use:** the general conditions of use of our SINGULARITY Application, which goes together with the present privacy policy.

2. VAONIS IS THE CONTROLLER

The Processing of Personal Data identified in this privacy policy is carried out by our company VAONIS as the Controller.

VAONIS is a French company whose registered office is located at Cap Alpha, 34830, Clapiers, in France, with a share capital of 17.133, 80 €, registered under the number 823 710 447.

3. PERSONAL DATA PROCESSING

We process the Personal Data that you enter on the Application or that you provide to us through the use of our Application for the following purposes:

3.1 Processes for the creation and management of our customer relationship:

Some of your Personal Data is used so that you can create a member account on our Application, so that you can contact us by using the contact form or receive our newsletter, and so that we can contact you as part of our customer relationship. These processing purposes are therefore part of the creation and management of our relationship with our Application.

Your Personal Data involved in these purposes of Processing are:

- Your name and surname
- Your Email,
- A photograph selected by you in your terminal.

This Personal Data is processed on the basis of the performance of the services that our company VAONIS offers when you create a member account on our Application (and thus the performance of a contract within the meaning of the Personal Data Regulation). This Personal Data is also processed in our legitimate interests when we respond to your contact requests or get in touch with you as part of our customer relationship, or when we send you our newsletters or other types of important communications to keep you informed about the evolution and news of our Application.

The communication of your email is mandatory so that we can create your member account, answer your contact requests and contact you within the context of our customer relationship. Otherwise, we will not be able to create your member account or to answer you.

As for the subscription to our newsletter, it is optional, and you can unsubscribe at any time by using the unsubscribe link included in our newsletters.

Your Personal Data processed for the creation and management of our customer relationship are kept:

- For the duration of your member account until it is deleted and for up to 36 additional months;
- For up to 36 months from the time you enter your contact details when you send us a contact request;
- Regarding the subscription to our newsletter, until you unsubscribe;
- Regarding to other communications from VAONIS that with respect to their nature could not be unsubscribed (e.g. regarding a malfunction of the Application, a notification of a data breach,

an update of the General Terms of Use of the Application or of this privacy policy, a warning sent to you because of a violation of our General Terms of Use), the corresponding Personal Data may be used for the duration of your member account until its deletion and up to 36 additional months.

Please note that in case of inactivity of your member account for three uninterrupted years, your account and your subscription to our newsletter will be deleted. You will be notified in advance of this deletion and will be able to prevent it by reconnecting to your account before the time limit.

Summary of the processing carried out for the creation and administration of our customer relationship:

Purpose	Personal data concerned	Mandatory nature of the provision/collection of Personal Data	Conservation of Personal Data	Legal Basis
Creating and using of your member account on our Application	Your name, first name, Your Email. A picture of your choice	Mandatory for the name, first name, email. Optional regarding your picture.	For the duration of your member account and up to a maximum of 36 additional months. If your member account is inactive for three consecutive years, your account will be deleted.	The performance of our services on the Application, thus the performance of a contract between you and VAONIS
Processing your contact/communication requests	Your name, first name, Your Email.	Mandatory	For a maximum of 36 months following the submission of your contact information in your contact request.	Our legitimate interests, so that we can answer your request
Subscription to our Newsletter concerning the evolution of the Application	Your name, first name, Your Email.	Mandatory to provide you with the newsletter, even if it is optional	Until you unsubscribe, which you can do at any time. We will also unsubscribe you if your member account has been inactive for three uninterrupted years.	Our legitimate interest, so that we can communicate to you information about the evolution of our SNGULARITY application
Communications from VAONIS to inform you about important information regarding the Application	Your name, first name, Your Email.	Mandatory	For the duration of your member account and up to a maximum of 36 additional months.	Our legitimate interest, so that we can communicate important information about our SNGULARITY application and your use of it, without it being our newsletter

3.2 Processing to create individualised content and improve your user experience:

We also collect some of your Personal Data in order to create personalized content on our Application according to your interests (except for any advertising content) and we also collect data about your use of our SINGULARITY Application in order to improve it and your customer experience.

Your Personal Data concerned by this purpose of Processing are:

- Your fields of interest, which are requested at the time you create your member account on the Application;
- Data on the use of our Application and VAONIS telescope, such as the type of your terminal, your browser and screen size, statistics on page loading times, time spent on each page, statistics on your actions as a user (click, selection) per page, audience measurements per page.

This second purpose allows VAONIS to measure the performance of its Application, to detect navigation problems, to optimize its technical performance, and to analyze the content consulted in order to improve your user experience. This data is not "captured" by you on the Application but is collected via audience measurement tracers that are installed in our Application.

This data is therefore processed on the basis of the performance of the services that VAONIS provides when you indicate your areas of interest, since we use this data to present you with personalized content for information purposes at your request, to the exclusion of any content of an advertising nature. The legal basis for this is the performance of a contract between us within the meaning of the Personal Data Regulation.

With regard to the usage data of our Application, these are processed on the basis of our legitimate interests, so that we can improve our Application and your user experience. We specify that these audience trackers do not require the existence of a consent in the sense of the Regulation on personal data because these trackers have a purpose strictly limited to the measurement of the audience of our Application and produce only anonymous statistics.

We also insist that the provision of such data, both the indication of your interests and the provision of usage data (except in the case where you are interested in using our content personalization service) is not mandatory. You may opt out of the collecting of Usage Data by deactivating the "Send Usage Data" selection button in the "Help" section of our Application.

The data listed above are recorded in order to achieve the above-mentioned purposes:

- As regards the data concerning your centers of interest, they are recorded for the duration of your member account until its deletion;
- As regards the data relating to the use of our application, they are kept for a maximum of twenty-five months from their collection by our trackers.

Summary of the processing performed to create personalized content and improve your user experience:

Purpose	Personal data concerned	Mandatory nature of the provision/collection of Personal Data	Conservation of Personal Data	Legal Basis
Creation of personalized content on the Application (excluding advertising content)	Your areas of interest	Mandatory only if you choose to communicate personalized content. You are therefore free not to indicate your centers of interest	For the duration of your member account until it is deleted. In case of inactivity of your member account during three uninterrupted years, your account is deleted.	The execution of our services, thus the performance of a contract between you and VAONIS
Using of Your Usage Data to Improve Our Application and User Experience	Your Application usage data (terminal type, browser and screen size, page load time statistics, time spent on each page, statistics on your actions as a user per page, audience measurements).	This data is not mandatory for you to benefit from the services of the Application. You may opt-out of the collection of your usage data by deactivating the "Send Usage Data" selection button that is available within the "Help" section of our Application.	Your Application usage data is kept for a maximum of twenty-five months from the date of collection.	Our legitimate interest, so that we can improve our Application and enhance the user experience

3.3 Processing intended for the operation of your VAONIS telescope and based in particular on your location data:

We also process your location data in order to allow you to observe the sky with your VAONIS telescope. This location data is essential for this service: without it, your VAONIS telescope connected to our Application will not be able to allow you to observe space.

In case of problems with our Application or the VAONIS Telescope related to the initialization and setup of the Telescope, our support team will also have to access the location data you provided to the Application, as well as other usage data of the Telescope, in order to resolve the issues.

You can provide us with your location data required for the operation of the VAONIS Telescope either manually, by entering these coordinates in our Application, or by geolocation, by activating your GPS when you use our Application.

If you choose to activate your GPS while using the Application, you will receive a push notification to confirm your choice.

By confirming your choice, you agree to provide us with your location data through the GPS of your terminal, in order to ensure the proper operation of the VAONIS telescope. Depending on the model of your device, you may be asked to authorize access to your GPS each time you use the Application, or it may be pre-recorded for subsequent use. In any case, you can set the access authorizations to your GPS directly in the settings of your device.

Unless you choose to save your location data in order to create an "observatory point" allowing you to observe the said sighting point on a recurring basis. If you choose to save your location data, your location data will only be retained by our Application for the strict purpose of maintenance.

You can manage the creation and deletion of these "observatory points" on the Application. Deleting an observatory point also deletes the associated location data.

We also point out that if you have chosen to activate your GPS to provide your location data necessary to set up your sky observation, your GPS will automatically deactivate itself after each use of our Application.

The Application only requires location data when you use it to initialize the VAONIS Telescope or when you observe the sky with your Telescope, although this data is also stored in our Application for your possible maintenance needs.

Please note that you can set the access permissions to your GPS directly in the settings of your device.

Your location data is processed in order to ensure the operation of your VAONIS telescope and to enable you to observe the stars at your current location and to fix any potential issues encountered with your VAONIS telescope.

This data is therefore processed on the basis of the performance of a contract between you and VAONIS within the meaning of the Personal Data Regulation.

We remind you that the communication of this location data is mandatory to operate your VAONIS telescope through our SINGULARITY Application.

The conservation duration of your location data is as follows:

- Your location data is only processed during the time you use our Application to initialize and set up the VAONIS telescope;
- At each new session of use of our Application, we will process the new location data that you will have entered, or provided via your GPS, in order to initialize and set up the VAONIS Telescope for your new observation;
- If an observatory point is saved, the associated location data is recorded into the Application until the waypoint is deleted, or until your member account is deleted.

In any case, the location data entered in the Application or provided by your GPS are conserved at the end of your session in order to fix possible failures of your VAONIS Telescope during its initialization or its setup. This data is conserved until it is no longer required for the maintenance of your VAONIS Telescope.

Summary of the Processing for the operation of your VAONIS telescope using your location data:

Purpose	Personal data concerned	Mandatory nature of the provision/collection of Personal Data	Conservation of Personal Data	Legal Basis
Operation of your VAONIS telescope for sky observation	Your location data (these are provided by your manual input or by activating the GPS of your terminal)	Mandatory for the use of your VAONIS telescope. Otherwise you will not be able to observe the sky through your telescope and our Application.	Your location data is only processed for the duration of your session using our Application. If you register a sighting, the associated location data is retained until you delete the sighting, or until you delete your member account.	The execution of our services, thus the performance of a contract between you and VAONIS

Maintenance of your VAONIS Telescope	Your location data (provided by your manual input or by activating the GPS of your device) as well as other initialization and utilization data of the VAONIS Telescope	Mandatory for the maintenance of your VAONIS telescope. Otherwise our support team will not be able to assist in resolving any issues with the telescope encountered during its initialization or setup.	This data will be stored until it is deleted by VAONIS. This deletion will take place as soon as the data is no longer required for the maintenance purpose for which it was processed.	The execution of our services, thus the performance of a contract between you and VAONIS
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3.4 Processing related to the calendar functionality of the Application

Our Application allows you to record events related to sky observation in the calendar of your terminal, in accordance with Article 8.4 of our General Terms of Use.

This Processing is based on the legal basis of our contractual obligations, as this functionality is designed as a service of our company VAONIS.

The Personal Data concerned by this functionality are :

- Personal Data associated with events sent to your device's internal calendar upon your request.

This data is not maintained in our Application, which only allows you to send events on the calendar associated with your terminal upon your request.

The information related to your events is not stored in our Application, so deleting your member account does not change the events that you would have already recorded in the calendar associated with your terminal.

Processing related to the calendar functionality in the Application :

Purpose	Personal data concerned	Mandatory nature of the provision/collection of Personal Data	Conservation of Personal Data	Legal Basis
Sending events to the calendar of your device	Any Personal Data that is associated with this feature	No personal data is required	The data is only processed for the time needed to send the event to your calendar, but it is not kept beyond that time.	The execution of our services, thus the performance of a contract between you and VAONIS

3.5 Processing relating to the hosting of your data from your photographs on our Cloud :

We also process the data from your photographs that you have hosted on our Cloud in accordance with section 8.5 of our General Terms of Use.

You are hereby informed that we may have access to the hosted content and associated metadata, such as the date and time of these photographs, your login associated with your member account, and the content of your photographs.

However, we will only use this data for the purpose of hosting your content. We may also use this information if you report a problem with the hosting, in order to try to resolve the problem.

Therefore, the legal basis for this processing under the Data Protection Regulation will be the performance of our contractual obligations to host your photographs, and the legal basis for Processing

will be our legitimate interest for accessing your photograph data for the purpose of maintaining the Application.

This data is collected automatically and is mandatory when you want to have your photographs hosted on our Cloud.

This data is recorded:

- During the time your photographs are hosted on our Cloud.

This data will be destroyed if you choose to delete one or more of your contents on our Cloud, or if your member account is deleted.

Processing related to the hosting of your data from your photographs on our Cloud :

Purpose	Personal data concerned	Mandatory nature of the provision/collection of Personal Data	Conservation of Personal Data	Legal Basis
Hosting your photos on our Cloud	Data related to the photographs hosted on our Cloud (date and time, place where the photograph was taken, associated ID and content)	Automatically collected data for cloud hosting	The data is kept for the duration of the hosting of the content on our Cloud or until your member account is deleted.	The execution of our services, thus the performance of a contract between you and VAONIS
Resolution of possible problems concerning the hosting of your photographs on our Cloud	Idem	Idem	Idem	Our legitimate interest, in order to allow us to meet possible maintenance requests concerning the hosted contents and to solve problems encountered by the Application

4. NO EXISTENCE OF AUTOMATED DECISION-MAKING NOR PROFILING

The Personal Data Regulation requires us to inform you about the existence of automated decision making, including profiling, based on your Personal Data.

You are informed that our VAONIS company does not use your Personal Data to make such automated decisions against you or to carry out profiling in the sense of the Personal Data Regulation.

5. CATEGORIES OF RECIPIENTS WHO HAVE ACCESS TO YOUR PERSONAL DATA (OUR SUBCONTRACTORS)

We do not share your Personal Information with third parties, except with our subcontractors.

Our subcontractors may have access to specific categories of Personal Information in the course of providing services to us. Our subcontractors are identified in article 6 below.

The VAONIS company undertakes to use only subcontractors who provide sufficient guarantees that they have implemented the technical and organizational measures required by the Personal Data Regulation, depending on the nature of the Personal Data and the associated risks of breach. Our

Subcontractors only have access to the Personal Data that is strictly necessary for them to perform the services we assign to them, and we ensure that the legal act provided for in Article 28 of Regulation No. 2016/679 (known as the "GDPR") governs our relationship as Controller and Processors.

Regarding the disclosure of your Personal Data to third parties, we indicate that when you specifically use a sharing feature with a third party service on our Application in accordance with Article 8.6 of our General Terms of Use, we do not act as a data controller.

The Personal Data that you share with these third party services already installed on your terminal is indeed done under your instructions and on your behalf. These data communications are therefore executed under your control and responsibility.

6. LIST OF OUR PROCESSORS

VAONIS maintains an up-to-date list of Processors that it engages for the operation of its SINGULARITY Application.

These Processors are the following:

Identity of Processor	Functions
Heroku San Francisco, California, USA	Hosting of our SINGULARITY Application
Digital Ocean DigitalOcean, LLC, 101 Avenue of the Americas, 10th Floor, New York, NY 10013 USA	Hosting of our SINGULARITY Application
Amazon Web Services, Inc. P.O. Box 81226 Seattle, WA 98108-1226 USA	Hosting of our cloud
Kibana –Elastic Cie USA	Maintenance of our SINGULARITY Application
Firebase Analytics Edited by GOOGLE, Mountain View, California, USA	Analysis of usage data of our Application
SupportYourApp, Inc., 1007 North Orange Street, 4th Floor, Suite 122, Wilmington, DE 19801, USA	Outsourced customer service

VAONIS has taken appropriate measures to ensure and verify that these Processors have sufficient guarantees regarding the implementation of technical and organizational measures required by the Personal Data Regulation, when they have access to some of your Personal Data.

This list of Processors is also available at any time on our website <https://vaonis.com/fr/>.

7. TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES

Because of the identity of some of our subcontractors, your Personal Data may be transferred outside the European Union, and more specifically to the United States.

Our VAONIS company has ensured that the transfer of such data to its Processors in the United States is made with appropriate or adequate safeguards in accordance with the Data Protection Regulation.

These guarantees are:

- The choice of storing your Personal Data on servers located within the European Union when possible (Amazon Web Services);
- The adoption of Standard Contractual Clauses in accordance with article 46 of the GDPR n°2016/679.

You can obtain a copy of the list of these guarantees by making your request to our personal data referent, whose contact details are indicated in Article 10.

8. SECURITY AND PERSONAL DATA BREACH

Our VAONIS company makes its best efforts to ensure the security of your Personal Data.

We implement several security procedures adapted to the categories of Personal Data we process:

- In particular, we ensure that only the personnel of our VAONIS company required for our Processing have access to the Personal Data concerned, and we undertake to ensure that these personnel are subject to an obligation of confidentiality;
- We limit access to Personal Data through physical and electronic authentication;
- We use encryption and pseudonymization of data on the Application;
- We take care to implement means to ensure the confidentiality, integrity and availability of your Personal Data;
- We also implement tests to regularly evaluate the effectiveness of our technical and organizational measures.

These security measures are not exhaustive.

However, despite the protection measures it implements, our company cannot guarantee their infallibility, particularly against the illegal actions of third parties.

Thus, in the event of a Breach of Personal Data, we will ensure that we comply with the obligations set out in the Personal Data Regulations.

We will therefore notify the Commission Nationale Informatique et Libertés (CNIL) as the competent authority as soon as possible, and in principle within 72 hours of becoming aware of the Breach, unless the Breach in question is not likely to create a risk for the rights and freedoms of the natural persons concerned.

If the Breach is likely to generate a high risk for your rights and freedoms as a natural person, our VAONIS company will notify you as soon as possible, unless:

- The Personal Data affected by the said Breach has been protected by appropriate safeguards so as to make the data unintelligible to any person not authorized to access it;

- we have taken subsequent steps to ensure that the high risk to your rights and freedoms is no longer likely to happen;
- such notification would require disproportionate effort. In this case, we will instead proceed with a public disclosure or similar measure.

Our VAONIS company keeps an up-to-date inventory of personal data breaches it has suffered, including the manner in which they occurred, their effect and the measures taken to remedy them. We keep this inventory at the disposal of the CNIL.

9. EXERCISING YOUR RIGHTS TO YOUR PERSONAL DATA

In accordance with the Personal Data Regulation, you are informed that you have on your Personal Data that we process:

- A right of access,
- A right of rectification,
- A right of limitation,
- A right to object to processing,
- a right of portability
- a right to erasure,
- As well as the right to define directives relating to the outcome of your Personal Data after your death.

You can exercise these rights by sending your written request to our Personal Data referent, whose contact details are indicated in Article 10 below.

We point out that the aforementioned rights are exercised strictly within the limits set by the Personal Data Regulation.

You are also informed that the exercise of your rights to your Personal Data may affect the performance of the Application and our services to you, as explained in article 3 of this privacy policy.

10. YOUR PERSONAL DATA CONTACT AT VAONIS

Our contact person in charge of data protection issues in VAONIS is: dpo@vaonis.com

You can send him any question concerning the processing of your Personal Data that you may desire.

Our representative will respond to you within one month of receiving your request.

This period may however be extended by two months, depending on the complexity and the number of requests received. In addition, you may be asked to provide proof of identity in order to respond to your request.

11. CLAIM TO THE SUPERVISORY AUTHORITY (« CNIL »)

You always have the right to file a complaint with a supervisory authority if you estimate that our company VAONIS has violated the Personal Data Regulation when processing your Personal Data.

In France, this authority is known as the Commission Nationale de l'Informatique et des Libertés (CNIL),
3 Place de Fontenoy - TSA 80715 - 75334 PARIS CEDEX 07,

Phone: 01 53 73 22 22, <https://www.cnil.fr/fr/vous-souhaitezcontacter-la-cnil>.

The CNIL has an online complaint service, available here : <https://www.cnil.fr/fr/plaintes>

12. MODIFICATION OF THIS PRIVACY POLICY

Our company VAONIS may have to modify this privacy policy, in particular because of an evolution of the Application and/or a change in the Personal Data Regulation.

In this case, these modifications will apply to Personal Data Processing carried out after the publication of our modified privacy policy.

You will also be informed of these changes on the email address associated with your member account. In this case, we specify that this information corresponds to communications based on the legitimate interest of our VAONIS company in accordance with Article 3.1.