

## Privacy Policy

Effective Date: October 13<sup>th</sup>, 2019

Pick a Pier Ltd. (“**Pick a Pier**“, “**we**“, “**our**” or “**us**“) develops and operates an online platform and mobile application for marines and boaters that standardizes, automates and optimizes the recreational maritime travel industry (the “**Product**”).

We also operate the website available at [www.pickapier.com](http://www.pickapier.com) (the “**Site**”, and together with the Product – the “**Services**”).

This Privacy Policy describes how we collect, store, use and disclose personal data regarding our Site’s visitors (“**Visitors**”), our prospective and existing business partners and customers (“**Customers**”), and end-users of our Product (“**End Users**”, which together with the Visitors and Customers, as the case may be, are hereby referred to as “**you**”), and our roles in processing your data. It applies whenever you use our Product, visit our Site, interact with us or otherwise access or use any of our Services.

Specifically, this Privacy Policy describes our practices regarding:

1. [Data Collection](#)
2. [Data Uses](#)
3. [Data Location and Retention](#)
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**Please read this Privacy Policy carefully and make sure that you fully understand and agree to it. If you do not agree to this Privacy Policy, please discontinue and avoid using our Services.** In any event, you are not legally required to provide us with any Personal Data (defined below).

### 1. Data Collection

We collect the following categories of data (which, to the extent it relates to an identified or identifiable individual, will be deemed as “**Personal Data**“):

1. **Data automatically collected or generated:** When you visit, interact with or use our Services, we may collect or generate certain technical data about you. We do so either independently or with the help of third party services (as detailed in Section 4 below), including through the use of “cookies” and other tracking technologies (as further detailed in Section 5 below).

Such data consists of connectivity, technical and aggregated usage data, such as IP addresses, mobile device's advertising ID, non-identifying data regarding a device, operating system, browser version, locale and language settings used, activities and actions on the Services, date and time stamp, the cookies and pixels installed on a device, and the activity (clicks and other interactions) of Visitors, Customers and End Users in connection with our Services.

2. **Data received from you:** You may provide us with Personal Data such as your first and last name, email, phone number, account login details (usernames and hashed passwords), yacht-related documents, berth location and identifying documentation (collectively, "**Account Data**"), as well as any other data you choose to provide when you contact us or sign up to our Services.

Customers and End Users may provide us additional Account Data such as their billing details, berthing needs and preferences. To the extent that such data concerns a non-human entity (e.g. the bank account of a company or business), we will not regard it as "Personal Data" and this Privacy Policy shall not apply to it.

3. **Data received from third parties:** we may receive your Personal Data from other sources. For example, we may receive your data from any maritime provider (marina or association of marinas, yacht club, etc.) you are part of; or if you participate in an event or conference that we sponsor or participate in, we may receive your Personal Data from the event organizers. We may also receive your contact and professional details (e.g., your name, company, position, contact details and professional experience, preferences and interests) from our business partners or services providers, and through the use of tools and channels commonly used for connecting between companies and individuals in order to explore potential business and employment opportunities, such as LinkedIn.

## 2. Data Uses

We use Personal Data as necessary for the performance of our Services; to comply with applicable law; and to support our legitimate interests in maintaining and improving our Services and offerings, understanding how our Services are used, optimizing our marketing and advertising services, for customer service and support operations, and for protecting and securing our Customers, End Users, ourselves and our Services.

Specifically, we use Personal Data for the following purposes:

1. To facilitate, operate, and provide our Services;
2. To authenticate the data transmitted to the Services, and to allow our Customers and End Users access to our Services;
3. To provide our Visitors, Customers and End Users with assistance and support;
4. To manage and deliver advertisements more effectively, including contextual, behavioral, and interests-based advertising for our Services, based on Customers' and End Users' activity, preferences or other data available to us or to our business partners, including for retargeting purposes;
5. To create audience-related insights for optimizing ad performance;
6. To further develop, customize, and improve the Services, based on common or personal preferences, experiences, and difficulties;

7. To contact our Visitors, Customers and End Users with general or personalized service-related and promotional messages (as further described in Section 6 below); and to facilitate, sponsor and offer certain events and promotions;
8. To support and enhance our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error or any illegal or prohibited activity;
9. To create aggregated statistical data, inferred non-personal data or anonymized or pseudonymized data (rendered non-personal), which we or our business partners may use to provide and improve our respective services; and
10. To comply with any applicable laws and regulations.

### 3. Data Location & Retention

**Data Location:** Your Personal Data may be maintained, processed and stored by our authorized affiliates and Service Providers (defined below) in the United States of America, Israel and other jurisdictions, as necessary for the proper delivery of our Services, or as may be required by law.

Pick a Pier is headquartered in Israel, a jurisdiction which is considered by the European Commission to be offering an adequate level of protection for the Personal Data of EU Member State residents.

While privacy laws may vary between jurisdictions, Pick a Pier and its affiliates and Service Providers are each committed to protect Personal Data in accordance with this Privacy Policy and customary industry standards, regardless of any lesser legal requirements that may apply in their jurisdiction.

**Data Retention:** We keep Personal Data of Customers, End Users and Visitors for as long as reasonably necessary in order to maintain and expand our relationship and to provide them with our Services.

We retain End Users' Personal Data as long as we consider necessary for the purposes described herein or as instructed by our Customers where such Personal Data is processed solely on their behalf (as further described in Section 8 below).

We will also retain Customers, Visitors and End Users Personal Data for as long as is required in order to comply with our legal and contractual obligations, or to protect ourselves from any potential disputes (i.e. as required by laws applicable to log-keeping, records and bookkeeping, and in order to have proof and evidence concerning our relationship, should any legal issues arise following your discontinuance of use), in accordance with our data retention policy.

Please note that except as required by applicable law, we will not be obligated to retain your Personal Data for any particular period, and we are free to securely delete it for any reason and at any time, with or without notice to you. If you have any questions about our data retention policy, please contact us by email at [privacy@pickapier.com](mailto:privacy@pickapier.com).

### 4. Data Sharing

**Legal Compliance:** We may disclose or allow government and law enforcement officials access to your Personal Data, in response to a subpoena, search warrant or court order (or

similar requirement), or in compliance with applicable laws and regulations. Such disclosure or access may occur if we believe in good faith that we are legally compelled to do so, or that disclosure is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing.

**Service Providers:** We may engage selected third party companies and individuals to perform services complementary to our own (e.g. hosting services, data analytics services, marketing and advertising services, data and cyber security services, payment processing services, e-mail distribution and monitoring services, text messaging services, session recording, and our business, legal and financial advisors) (collectively, “**Service Providers**”). These Service Providers may have access to your Personal Data, depending on each of their specific roles and purposes in facilitating and enhancing our Services, and may only use it for such purposes.

One of our Service Providers in particular is Google, which provides a tool called “Google Analytics” used by us to collect information about use of our Services. Google Analytics collects information such as how often users visit the Services, what pages they visit when they do so, and what other sites they used prior to coming to our Services. We use the information we get from Google Analytics to maintain and improve the Services and our products. We do not combine the information collected through the use of Google Analytics with personally identifiable data. Google’s ability to use and share information collected by Google Analytics about your visits to and use of the Services is restricted by the Google Analytics Terms of Service, available at <https://www.google.com/analytics/terms/us.html>, and the Google Privacy Policy, available at <https://policies.google.com/privacy>. You can learn more about how Google collects and processes data specifically in connection with Google Analytics at <https://policies.google.com/technologies/partner-sites>. You may prevent your data from being used by Google Analytics by downloading and installing the Google Analytics Opt-out Browser Add-on, available at <https://tools.google.com/dlpage/gaoptout/>.

**Sharing Personal Data with our Customers:** We may share the Personal Data of End Users with their respective Customer, to the extent that such Personal Data is processed by us solely on such Customer’s behalf. Please note that Pick a Pier is not responsible for and does not control any further disclosure, use or monitoring by or on behalf of our Customer, that itself acts as the “Data Controller” of such data (as further described in Section 8 below).

**Protecting Rights and Safety:** We may share your Personal Data with others if we believe in good faith that this will help protect the rights, property or personal safety of Pick a Pier, any of our Visitors, Customers or End Users, or of any members of the general public.

**Pick a Pier Subsidiaries and Affiliated Companies:** We may share Personal Data internally within our group of companies, for the purposes described in this Privacy Policy. In addition, should Pick a Pier or any of its subsidiaries or affiliates undergo any change in control, including by means of merger, acquisition or purchase of substantially all of its assets, your Personal Data may be shared with the parties involved in such event. If we believe that such change in control might materially affect your Personal Data then stored with us, we will notify you of this event and the choices you may have via e-mail or prominent notice on our Services.

For the avoidance of doubt, we may share your Personal Data in additional manners, pursuant to your explicit approval, or if we are legally obligated to do so, or if we have successfully

rendered such data non-personal and anonymous. We may transfer, share or otherwise use non-personal data at our sole discretion and without the need for further approval.

## 5. Cookies and Tracking Technologies

Our Services and some of our Service Providers utilize “cookies”, anonymous identifiers and other tracking technologies which help us provide, secure and improve our Services, personalize your experience and monitor the performance of our activities and campaigns.

A “cookie” is a small text file that is used, for example, to collect data about activity on our Site. Some cookies and other technologies serve to recall Personal Data, such as an IP address, previously indicated by you. We recommend the use of cookies for an optimal user experience on our Services.

While we do not change our practices in response to a “Do Not Track” signal in the HTTP header from a browser, most browsers allow you to control cookies, including whether or not to accept them and to remove them. You may set most browsers to notify you if you receive a cookie, or you may choose to block cookies with your browser.

If you wish to prevent the use of your mobile device's advertising ID, you may change your device settings to reset such advertising ID (typically, this is available under the "Privacy" or "Ads" section in your device settings). You may also change your browser settings to reset or block cookies (typically, this is available under the "Settings" or "Help" section in your browser menu).

A list of the cookies we use can be found here:

Cookies Source	Purpose
Google Analytics	Analytics
Wix	Registration, Analytics & Performance
(Facebook)	(Third Party Integration)

## 6. Communications

**Service Communications:** We may contact you with important information regarding our Services. For example, we may notify you (through any of the means available to us) of changes or updates to our Services, billing issues, service changes, password-reset notices, etc. We may also send you notifications, messages and other updates. You will not be able to opt-out of receiving such service communications while using our Services, as they are integral to such use.

**Notifications and Promotional Communications:** We may send you notifications about new features, events and special opportunities or any other information we think our Customers will find valuable. We may provide such notices through any of the contact means available to us (e.g. phone or e-mail), through the Services, or through our marketing campaigns on any other sites or products.

If you do not wish to receive such promotional communications, you may notify Pick a Pier at any time by sending an email to [privacy@pickapier.com](mailto:privacy@pickapier.com), changing your communication preferences in your account, or by following the “unsubscribe”, “stop”, “opt-out” or “change e-mail preferences” instructions contained in the promotional communications you receive.

## 7. Data Security

In order to protect your Personal Data held with us and our Service Providers, we are using industry-standard physical, procedural and electronic security measures, as we reasonably deem appropriate. However, please be aware that regardless of any security measures used, we cannot and do not guarantee the absolute protection and security of any Personal Data stored with us or with any third parties as described in Section 4 above.

## 8. Data Controller/Processor

Certain data protection laws and regulations, such as the GDPR, typically distinguish between two main roles for parties processing Personal Data: the “Data Controller”, who determines the purposes and means of processing; and the “Data Processor”, who processes the data on behalf of the Data Controller. Below we explain how these roles apply to our Services, to the extent that such laws and regulations apply.

Pick a Pier partners with certain Customers, including marinas around the world, to facilitate berth ordering and offering around the world. When Pick a Pier processes any End User Personal Data on behalf of its Customer, such Customer shall be deemed the “Data Controller” of its End Users’ data, and Pick a Pier will process such data on this Customer’s behalf, as its “Data Processor”, in accordance with its reasonable instructions and subject to our Terms of Service and other commercial agreements.

Pick a Pier is the “Data Controller” of its Visitors’ and Customers’ Personal Data, as well as that of its End Users who use the Services directly via the Pick a Pier platform (and not via a Customer). Accordingly, Pick a Pier assumes the responsibilities of Data Controller (solely to the extent applicable under law) with respect to such Personal Data, as set forth in this Privacy Policy.

## 9. Data Subject Rights

If you wish to exercise your rights under any applicable law, including the EU General Data Protection Regulation (GDPR), to request access to, and rectification or erasure of your Personal Data held with Pick a Pier, or to restrict or object to such Personal Data’s processing, or to port such Personal Data – please contact us by email at [privacy@pickapier.com](mailto:privacy@pickapier.com).

Please note that once you contact us by e-mail, we may require additional information and documents, including certain Personal Data, in order to authenticate and validate your identity before we are able to further process your request. Such additional data will be then retained by us for legal purposes (e.g. as proof of the identity of the person submitting the request), in accordance with Section 3 above.

**If you would like to make any requests or queries regarding Personal Data we process on a Customer’s behalf, please contact such Customer directly.** For example, if you are an End User who wishes to access, correct, or delete data processed by Pick a Pier on behalf

of a Customer, please direct your request to the relevant Customer (who is the “Data Controller” of such data).

## 10. Children’s Privacy

**Our Services are not designed to attract children under the age of 16.** We do not knowingly collect Personal Data from children and do not wish to do so. If we learn that we collect data relating to a person under the age of 16, we will make all efforts to promptly delete any Personal Data stored with us with regard to such child. If you believe that we might have any such data, please contact us by email at [privacy@pickapier.com](mailto:privacy@pickapier.com).

## 11. Additional Notices

**Updates and Amendments:** We may update and amend this Privacy Policy from time to time by posting an amended version on our Services. The amended version will be effective as of the date it is so published. We will provide a 10-day prior notice if we believe any substantial changes are involved via any of the communication means available to us or via the Services. After such notice period, all amendments shall be deemed accepted by you.

**External Links:** While our Services may contain links to other websites or services, we are not responsible for their privacy practices, and encourage you to pay attention when you leave our Services for the website or application of such third parties and to read the privacy policies of each and every website and service you visit. This Privacy Policy applies only to our Services.

**Questions, Concerns or Complaints:** If you have any comments or questions about this Privacy Policy or if you have any concerns regarding your Personal Data, please contact us by email at [privacy@pickapier.com](mailto:privacy@pickapier.com). Dr. Andreas Mätzler has been designated as Pickapier’s representative in the European Union for data protection matters pursuant to Article 27 of the GDPR. Inquiries regarding EU privacy practices may be sent to Dr. Mätzler at Schellinggasse 3/10, Vienna 1010, Austria, or by email to [privacy@pickapier.com](mailto:privacy@pickapier.com). If you are a GDPR-protected individual, you also have the right to lodge a complaint with an EU supervisory authority.