CARTLY Sàrl

PRIVACY POLICY – NOVEMBER 2026 EDITION

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1. Preamble

1.1. The CARTLY® platform consists of a web application presented in the form of a website (https://cartlyapp.com/en/), together with virtual business cards in HTML format (hereinafter also the "**Platform**"), operated by the company Cartly LLC (CHE-312.542.611) (hereinafter also "we" or the "**Provider**"), whose registered office is located at Route de Villars 23, 1700 Fribourg, Switzerland (hello@cartlyapp.com / +41 58 255 03 44).

1.2. CARTLY® offers its clients access to a Platform allowing the creation and management of virtual business cards that can be exchanged through various media – in particular by means of an Internet link sent via SMS, WhatsApp, or by scanning a QR code, as well as numerous other sharing methods available on the user's device (AirDrop, social networks, messaging applications, email, email signature, MS Teams, etc.) –, the sharing of contact information by means of virtual business cards, and the creation of email signatures (hereinafter also the "**Services**"). The Services are available in three plans: Starter account, Pro account and Business account. The details of these plans are presented on the Platform and may change at any time. The Platform enables the client/user (hereinafter also the "**User**" or "**you**") to create a personal account (hereinafter also the "**User Account**") allowing them to *upload* text, images, graphics, links, audio and/or video content, etc. (hereinafter also "**User Content**") in order to create, publish on the Internet and share their virtual business cards and email signatures. To access the Platform, the User must have a standard browser (e.g. Google Chrome, Firefox, Microsoft Edge, Safari, etc.) on a device with an Internet connection (e.g. computer, smartphone, tablet, etc.). With a Pro or Business account, the User may, through their User Account, grant access to the Services to other users under their control (hereinafter also "**Sub-users**" or "**you**"). For example, a company with a Business account comprising 250 virtual business cards may, as the User of a Business account, grant access to the Services to 250 of its employees, who will be its Sub-users. Sub-users also have a User Account onto which they may likewise *upload* User Content. In addition, any person consulting a CARTLY® virtual business card (hereinafter also "**Third-Party Contact**" or "**you**") may, by means of the "Send my contact" button (or equivalent) located on the virtual business cards, share User Content by means of an electronic form (hereinafter also "**Contact Form**") with a User or a Sub-user.

1.3. This Privacy Policy describes the manner in which we collect and use your personal data.

1.4. **Please read the Privacy Policy carefully.**

2. Contact

2.1. We take data protection very seriously and we undertake to protect your personal data. We thus comply with the General Data Protection Regulation (GDPR) of the European Union and with the Swiss Federal Act on Data Protection (FADP).

2.2. If you have any questions concerning this Privacy Policy, you can contact us at the following details:

a) By email: privacy@cartlyapp.com;

b) By telephone: +41 58 255 03 44;

c) By post: Route de Villars 23, 1700 Fribourg, Switzerland.

2.3. In accordance with Article 27 GDPR, we have appointed a representative in the European Union: Prighter EU Rep GmbH, 27 rue Dumont d'Urville, 75116 Paris, France. In addition to or instead of us, our representative is the point of contact for data subjects and supervisory authorities on all matters relating to the processing of personal data. You can contact our representative via its online form: https://app.prighter.com/portal/11850017040.

3. Purpose of the processing

3.1. We process your data for the following purposes:

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a) To provide you with our Services: the legal basis for processing your personal data for this purpose lies in the pre-contractual steps and the performance of a contract;

b) To improve our Services: the legal basis for processing your personal data for this purpose lies in our legitimate interest. You may object to this processing of data at any time;

c) To carry out the requests you have made in connection with our Services or the requests you make via our Platform;

d) To comply with any applicable law;

e) To protect our rights, property or security, as well as the rights of certain third parties, including other Users, Sub-users, Third-Party Contacts, cartlyapp.com and our Services;

f) For analytics purposes: where you have given your consent, we may use log files, cookies and other technologies to obtain personal data. This may include a session identifier in order to track the usage statistics of our Platform, an IP address in order to monitor the traffic/volume of the Platform and other information permitted by law. We ask you to consult our Cookie Policy [https://cartlyapp.com/files/Cookie-Policy.pdf] to learn more about the cookies we use and how you can manage and delete them;

g) For marketing purposes: by opting in to receive marketing communications, **you expressly consent to the processing of your personal data for marketing purposes** (such as sending emails containing advertising or marketing content, sending invitations to events). You may revoke your consent at any time.

4. Legal basis for the processing

4.1. We process your personal data for the following reasons:

a) Legal obligations: we may have a legal obligation to use your personal data in order to comply with certain legal obligations, for example to combat money laundering or fraud and the prevention of crime;

b) Contract: we process your personal data to perform our obligations under any engagement or contract we may have with you or your organisation (in particular in order to provide and administer our Services and to process payments, invoicing and collection);

c) Legitimate interests: we process your personal data where we (or a third party) have a legitimate interest in using your personal data to ensure that we provide our Services in the best possible way, for example to administer and manage our relationship with you, whether through accounting, payment traffic, the audit of our company or other steps connected with the performance of our contractual relationship; to analyse and improve our Services and remain compliant with the law and our policies, and to provide our Services;

d) Consent: we may rely on the consent you freely gave at the time you provided your personal data, or at the time you read and approved this Privacy Policy.

5. Collection of personal data

5.1. We collect personal data in various ways:

a) Through our Platform;

b) When you or your organisation use our Services, in particular via your User Account;

c) Through the information you share via your User Account, a virtual business card and the use of our Platform;

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d) When a Third-Party Contact shares their information by means of the Contact Form attached to the virtual business card of a User or a Sub-user;

e) When you get in touch with us, for example by email, by post, or through the contact form on our Platform;

f) Through public sources such as social networks or information available on the Internet in general;

g) Through various public registers (for example the commercial register), press articles, etc.

6. Categories of personal data

6.1. We process the following categories of data for the purposes described above:

a) Contact information (such as your name, your address, your email address);

b) Professional information (such as your title, your employer, logo);

c) Information relating to the device you use to access our Services (such as the IP address, the browser);

d) Your photograph, voice recording and/or video(s), links to your social networks, etc.;

e) The information communicated by a Third-Party Contact via the Contact Form, in particular their surname, first name, company, position, email address, telephone number and the reason for the exchange;

f) Your purchase data such as order reference, payment method, address and billing, etc.;

g) Your geographic location data (country / region / city);

h) The date, time and duration of use of our Services, for example the time spent consulting our Platform.

7. Personal data of minors

7.1. We do not knowingly or wittingly collect personal data from persons under 18 years of age. If you are under 18 years of age, you may not subscribe to our Services. We encourage parents and legal guardians to monitor their children's use of the Internet and to help enforce this Privacy Policy by instructing their children not to provide personal information through our Platform or our Services. If you have reason to believe that a minor has provided us with personal data, please contact us (privacy@cartlyapp.com).

8. How personal data is protected

8.1. In order to safeguard as effectively as possible the personal data we process, we have implemented various technical and organisational measures.

8.2. Where your data is stored with third-party companies, we conclude agreements with them aimed at ensuring that the relevant standards are complied with.

8.3. In addition, we provide for a redundancy system, which means that copies of your data are backed up in different locations.

8.4. Despite our ongoing efforts to protect our systems, operations, websites and information against any hacking, improper access, unauthorised use, modification and disclosure, we cannot guarantee that the information, during its transfer or storage, will be entirely free from any interception, this being due to the inherent nature of the Internet as a worldwide means of communication and the related risks.

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9. Recipients and sharing of personal data

9.1. We will only disclose your personal data to third parties for the purpose of being able to provide you with our Services or if there is a legal obligation to do so, if it is necessary to assert our rights, in particular to assert rights arising from our contractual relationship, or if you have given your express consent.

9.2. In addition, we will transfer your data to third parties to the extent necessary for sending marketing communications and analysing your user behaviour. The sending of marketing communications is based on your consent. The analysis of your user behaviour is based on your consent where it involves cookies or trackers that are not strictly necessary, in accordance with our Cookie Policy; it is based on our legitimate interest where it is limited to aggregated audience measures that do not require such consent.

9.3. Any disclosure of your personal data to third parties is strictly limited to the stated purposes.

9.4. Where a User with a Pro or Business account activates an integration with a third-party automation provider (for example Zapier), the information communicated by a Third-Party Contact via the Contact Form is transmitted automatically, over a secure connection, to the endpoint configured by that User, and then routed to their customer relationship management (CRM) software or their other third-party tools. Independently of any integration, this information is also recorded in our database and associated with the card and the organisation of the recipient User.

9.5. The User (the recipient organisation) alone decides to activate this integration and the destination of the data; they act as data controller for this data and its subsequent transfers. We exercise no control over the User's third-party automation provider, CRM or other third-party tools.

9.6. Where necessary and in accordance with the relevant legal basis, we share your personal data with the following third parties:

a) State authorities;

b) Third parties that provide services such as accounting, legal and litigation, document translation, computer programmers or developers, software or IT system providers, IT support services, document and information storage providers, hosting providers, computer server providers, payment service providers, analytics tools, automation providers such as Zapier;

c) Third-party service providers that enable us to analyse data relating to Users or Sub-users, such as for example Google Analytics;

d) Data-protection representative;

e) External data protection officer (where applicable).

9.7. For example, we provide your relevant data to third-party companies that host your data and process your payments.

9.8. We exercise due diligence with regard to third-party providers and we ensure contractually that our partners process personal data in an appropriate manner and in accordance with our legal obligations. In addition, we may call on external providers where this is necessary to provide our Services.

9.9. We will thus comply with our legal obligations in connection with the processing of personal data, in particular as regards the establishment and implementation of appropriate safeguards.

10. Cross-border transfer of personal data

10.1. We may transfer your personal data to locations outside Switzerland, the jurisdiction in which you are domiciled or order our Services, the one in which we provide you with our Services,

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or the one in which you consume our Services. We may process your data in the countries of the European Union, in the European Economic Area, as well as in Switzerland and the United States. For example, we currently work with payment service providers whose registered office is located in the United States and which may process personal data, in particular in order to process your payments.

10.2. We may transfer your data to third parties (contractual service providers) located abroad for the purposes of the data processing described in this Privacy Policy.

10.3. Where your personal data is transferred to and/or stored in a country located outside the European Union, the European Economic Area, or Switzerland, we take all reasonably necessary measures to ensure the security of the processing of your data. In the event that these countries are outside the European Economic Area and the European Union has not adopted an adequacy decision for those countries, we make appropriate arrangements to ensure an adequate level of data protection for any data transfer. These are, for example, the standard contractual clauses of the European Union. In these cases, the risk remains that the authorities of the third country concerned (for example, intelligence services) may have access to the transferred personal data and that the exercise of your rights, as a data subject, cannot be guaranteed.

10.4. **By accepting this Privacy Policy, you acknowledge that the transmission of information via the Internet cannot be entirely secure.** Despite all the efforts we make to protect your personal data, we cannot fully guarantee the security of the data transmitted.

10.5. **By accepting this Privacy Policy, or by using our Services, you expressly consent to the data you communicate to us being transferred to the countries of the European Union, the European Economic Area and the United States.** Any transfer of your data outside Switzerland or the European Economic Area is carried out on the basis of an adequacy decision — in particular the Swiss-U.S. Data Privacy Framework where the recipient is certified in the United States — or, failing that, of appropriate safeguards within the meaning of art. 16 et seq. FADP and art. 44 et seq. GDPR, such as the standard contractual clauses recognised by the Federal Data Protection and Information Commissioner (FDPIC).

10.6. Furthermore, **where a User has activated an integration with a third-party automation provider (for example Zapier, established in the United States), the data exchanged via the Contact Form may be transmitted to that provider, and then to the destination configured by the User (their CRM or their other third-party tools), which may be located in any country**. This data may thus be transferred to and/or stored in systems located outside Switzerland and the European Economic Area, under the control and responsibility of the User, who is answerable for the choice of destination and for the safeguards applicable to those transfers.

10.7. A copy of the agreements with our partner is available on request.

11. Retention period of personal data

11.1. We retain personal data only for as long as necessary to provide you with our Services, for the duration of our legitimate interest or for purposes for which you have given your consent.

11.2. Please note that specific statutory retention periods may apply to certain data. This data must be retained until the end of the statutory retention period, which is generally 10 years in Switzerland for financial and accounting data.

11.3. As regards visitors to our Platform, we retain the relevant personal data for a maximum of two years from the date of your last interaction on our Platform.

11.4. If you create a User Account, we delete your data linked to the User Account without any consideration, upon its deletion, regardless of whether the deletion is carried out by you or by us. However, data subject to a legal retention obligation (in particular accounting and billing data, retained as a rule for ten years in Switzerland in accordance with art. 958f CO) is retained for the applicable statutory period.

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11.5. Where an integration with a third-party automation provider (for example Zapier) is used, we keep transmission logs, including the data actually transmitted, for service reliability and troubleshooting purposes, for a limited period (as a rule twelve months), after which we delete or anonymise them, subject to a longer legal retention obligation.

12. Your rights

12.1. Under applicable data-protection law, you have, in particular, the following rights:

12.2. **The right of access**: you have the right to ask us at any time and free of charge for access to your personal data recorded with us if we process this data. You can check what personal data we process and whether we use it in compliance with the applicable data-protection provisions. We are, however, entitled to charge reasonable fees if you require additional copies or if the request is excessive or abusive.

12.3. **The right to rectification**: you have the right to ask us to rectify incorrect or incomplete personal data and to be informed of the rectification. In this case, we inform the recipients of the data concerned of the rectifications made, unless this is impossible or associated with disproportionate effort. As a rule, you can modify or delete your data yourself via your User Account. If, however, you are unable to do so or if you wish to modify or delete data other than that displayed on your User Account, you can write to us at privacy@cartlyapp.com.

12.4. **The right to erasure** (known as the "right to be forgotten"): you have the right to ask us to erase your personal data in certain circumstances. In certain cases, the right to erasure may be excluded.

12.5. **The right to restrict processing**: in certain circumstances, you have the right to ask us to restrict the processing of your personal data.

12.6. **The right to data portability**: in certain circumstances, you have the right to ask us to provide you with the personal data you have given us so that you can transfer it elsewhere.

12.7. **The right to object to processing**: you have the right to ask us to stop processing the personal data you have provided to us if we process it on the basis of a legitimate interest.

12.8. **The right to withdraw consent**: where you have given your consent to the processing of your data, you may withdraw it at any time. We draw your attention, however, to the fact that in the event of withdrawal of your consent in connection with the provision of the Services, we will no longer be able to provide you with access to the Services (see Terms and Conditions [https://cartlyapp.com/files/Terms-and-conditions.pdf]).

12.9. **The right to lodge a complaint with a supervisory authority**: you may address any question relating to data protection to the Federal Data Protection and Information Commissioner (for Switzerland) or to a European data-protection supervisory authority.

13. Links to other resources

13.1. Our Platform contains links to other resources that do not belong to us and that we do not control (for example links to social networks). Please be aware that we are not responsible for the privacy practices of these third parties. When you access the services of these third parties via our Platform, it is possible that these third parties collect data concerning you. We encourage you to be careful to read their own privacy policy.

14. Languages

14.1. You may consult the Privacy Policy in different languages. **However, if you consult the Privacy Policy in a language other than French, you acknowledge that this is an automated translation, without legal value, provided for information purposes, of the original version written in French.** In the event of contradictions or possible differing interpretations between the various versions, **only the French version is authoritative and has legal value**.

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15. Changes to our Privacy Policy

15.1. We may modify the Privacy Policy from time to time, in order to adapt it to the use we make of the personal data we process and to comply with the legislation in force.

15.2. We will inform you as far as possible of any significant change to the Privacy Policy. However, we recommend that you consult this Privacy Policy regularly in order to stay up to date and informed of the manner in which we process your personal data.

15.3. In the event of substantial modifications to our Privacy Policy, you will be kept informed by email or via the Platform.

15.4. Any new version of the Privacy Policy will enter into force immediately after its publication on our Platform, unless otherwise indicated. **This Policy describes our data processing. Where a processing operation is based on your consent, you may withdraw it at any time, as easily as it was given, without this affecting the lawfulness of the earlier processing.**

15.5. The contractual consequences of a termination or of the deletion of the User Account (including as regards refunds) are governed exclusively by the Terms and Conditions.

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