



**Pick a Pier**

## Privacy Policy

Effective Date: Jan 2021

Pick a Pier Ltd. (“**Pick a Pier**“, “**we**“, “**our**” or “**us**“) develops and operates an online platform and mobile application for marines and boaters, to book and manage docking spaces in a cost and time efficient manner (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](#)
4. [Data Sharing](#)
5. [Cookies and Tracking Technologies](#)
6. [Communications](#)
7. [Data Security](#)
8. [Data Controller/Processor](#)
9. [Data Subject Rights](#)
10. [Children's Privacy](#)
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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 5](#) below), including through the use of “cookies” and other tracking technologies (as further detailed in [Section 6](#) 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 (marine or association of marines, 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 7](#) 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

We and our authorized Service Providers (defined below) maintain, store and process Personal Data in the United States, the European Union, Israel, and other locations as reasonably necessary for the proper performance and delivery of our Services, or as may be required by law.

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, customary industry standards, and such appropriate lawful mechanisms and contractual terms requiring adequate data protection, regardless of any lesser legal requirements that may apply in the jurisdiction to which such data may be transferred. In particular, End User Personal Data processed on behalf of our Customers may only be processed in such locations as permitted in our [Data Processing Addendum \(DPA\)](#) and other commercial agreements such Customer.

### 4. Data Retention

We retain your Personal Data for as long as it is reasonably necessary to provide our Services; to maintain and expand our relationship and provide you with our Services and offerings; to comply with our legal and contractual obligations; or to protect ourselves from any potential disputes (e.g. 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), all in accordance with applicable laws and regulations, and where applicable, also with our Customer's reasonable instructions and as further stipulated in our [DPA](#) and other commercial agreements with such Customer.

Please note that except as required by applicable law or our specific agreements with you, we will not be obligated to retain your Personal Data for any particular period, and we are free to securely delete it or restrict access to 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 e-mail at [privacy@pickapier.com](mailto:privacy@pickapier.com).

## 5. 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.

**Third-Party Websites and Services:** our Sites and Product may include links to third-party websites, and integrations with third-party services. Such websites and third-party services, and any information you process, submit, transmit or otherwise use with such websites and third-party services, are governed by such third-party’s terms and privacy practices and policies, and not by this Privacy Policy. We encourage you to carefully read the terms and privacy policies of such website and third-party services. To the extent that our Service Providers contact you in order to offer or promote our Service, they may additionally interest you in their own services. Should you decide to engage in such activities with Pick a Pier’s Service Providers, please note that such engagement is beyond the scope of Pick-a-Pier’s [Terms of Service](#) and Privacy Policy and will therefore be covered by our Service Provider’s terms and privacy policy.

**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 9](#) 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 an 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.

**Additional Sharing:** 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.

## 6. 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.

**Cookies:** cookies are packets of information sent to your web browser and then sent back by the browser each time it accesses the server that sent the cookie. Some cookies are removed when you close your browser session - these are the “**Session Cookies**”. Some last for longer periods and are called “**Persistent Cookies**”. We use both types of cookies to facilitate the use of the Services’ features and tools. Whilst we do not change our practices in response to a “Do Not Track” signal in the HTTP header from a browser or mobile application, you can manage your cookies preferences, including whether or not to accept them and how to remove them, through your browser settings. Please bear in mind that disabling cookies may complicate or even prevent you from using the Services. For more information regarding cookies, you may find the following websites useful: [www.allaboutcookies.org](http://www.allaboutcookies.org), [www.youronlinechoices.co.uk](http://www.youronlinechoices.co.uk).

**Google Analytics:** we use Google Analytics 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/>.

To learn more about our cookies practices, please visit our [Cookie Policy](#).

## 7. 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.

## 8. 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 5](#) above.

## 9. 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 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.

**Pick a Pier is the “Data Processor” of its End User Personal Data:** 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.

## 10. Data Subject Rights

Individuals have rights concerning their Personal Data. If you wish to exercise your privacy rights under any applicable law, including the EU General Data Protection Regulation (GDPR), such as the right 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 (each to the extent available to you under the laws which apply to you) – please contact us by e-mail at: [privacy@pickapier.com](mailto:privacy@pickapier.com). Please note that such rights are not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal data that we hold about you. In the event that we cannot accommodate your request, we will inform you of the reasons why, subject to any legal or regulatory restrictions. Please also note that we may require additional information, including certain personal data, in order to authenticate and process your request. Such additional information may 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 4](#) above. We may redact from the data which we will make available to you, any personal data related to others.

**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).

## 11. 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).

## 12. 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.

**EU and UK Representatives:** Dr. Andreas Mätzler has been designated as Pick a Pier's representative in the European Union and in the United Kingdom for data protection matters. Inquiries regarding privacy practices may be sent to Dr. Mätzler at Schellinggasse 3/10, Vienna 1010, Austria, by email to [privacy@pickapier.com](mailto:privacy@pickapier.com) or through the following link: <https://prighter.com/q/17740657>. If you are a GDPR protected individual, you also have the right to lodge a complaint with the relevant supervisory authority in the EU or in the UK, as applicable.

**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).