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# **PRIVACY POLICY OF NOVAKID INC.**

This Privacy Policy (the “**Policy**”), an integral part of the [Novakid General Terms and Conditions](#), explains how **Novakid Inc.** (registered seat: 548 Market St 8291, San Francisco, CA 94104-5401, USA; hereinafter: “**Novakid**”, “**Company**”, “**we**”, or “**us**”) collects, stores, uses, and discloses personal information from its users and their students (“**you**”, “**user**”) in connection with our online learning service (“**Online Classes**”) and website located at [novakidschool.com](#) and its subdomains (the “**Website**”), as well as in Novakid’s mobile application (“**Application**”) operated by the Company including registering an account for your child on the Website (“**Registration**”) and virtual chatting with Novakid (“**Chatting**”). This Policy also contains information about the collecting of the personal data regarding the natural persons who apply as teachers to Novakid (“**Applying as a Teacher**”) or who take a training course or/and take part in any other professional development activities offered on [academy.novakidschool.com](#) (“**Professional Learning Activities**”).

The processing and collecting of personal data by Novakid shall be in harmony with the directly applicable data protection laws in effect:

- (i) In case of personal data processing, the Regulation (EU) 2016/679 of the European Parliament and of the Council (hereinafter: “**GDPR**”), furthermore the recommendations of the Article 29 Data Protection Working Party (hereinafter: “**WP29**”) and of the European Data Protection Board (hereinafter: “**EDPB**”) shall apply.
- (ii) For the collection and processing of personal data of Brazilian individuals, Brazil’s Law No. 13,709, of August 14, 2018 on the Brazilian General Data Protection Act (in Portuguese: Lei Geral de Proteção de Dados, hereinafter: “**LGPD**”) shall apply.
- (iii) Furthermore, in respect of Californian individuals Novakid complies with the Senate Bill No. 1121 California Consumer Privacy Act of 2018 (hereinafter: “**CCPA**”).
- (iv) For the collection and processing of personal data of individuals residing in other countries, where the personal data regulations are in place and apply to the foreign entities, Novakid is in compliance with those regulations as well.

The Company is the data controller of any data which constitutes personal data, and which is uploaded when using our services.

The Company bound in honor to protect personal data, especially children's personal data; therefore, the Company will keep confidential the personal data received and take all necessary steps to secure data processing.

Before your child starts using Novakid, we want to make sure you understand how Novakid collects and uses your personal information and what rights are available for you and your child in relation your personal data. Please make sure that you read [Novakid's Children's privacy policy](#), an integral part of the [Novakid General Terms and Conditions](#), (hereinafter: "**Children's Policy**") for your child before he or she starts the online classes.

Please read and make sure you understand this Policy. If you do not agree with this Policy or our practices, you may not use our Website or our services.

## 1. DEFINITIONS

The following definitions are determined according to the GDPR:

**'personal data'**: shall mean any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

**'consent'**: shall mean any freely given, specific, informed and unambiguous indication of the will of the Data Subject by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

**'data controller'**: shall mean the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by European Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

**'data processing'**: shall mean any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

**'data processor'**: shall mean a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;

**‘third party’**: shall mean a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data;

**‘personal data breach’**: shall mean a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed;

**‘recipient’**: shall mean a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with European Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

**‘supervisory authority’**: shall mean one or more independent public authorities provided by each Member State which is responsible for monitoring the application of the GDPR in order to protect the fundamental rights and freedoms of natural persons in relation to processing and to facilitate the free flow of personal data within the European Union;

**‘supervisory authority concerned’**: shall mean a supervisory authority which is concerned by the processing of personal data because: (a) the controller or processor is established on the territory of the Member State of that supervisory authority; (b) data subjects residing in the Member State of that supervisory authority are substantially affected or likely to be substantially affected by the processing; or (c) a complaint has been lodged with that supervisory authority.

## **2. WHAT INFORMATION DOES NOVAKID COLLECT?**

The information we gather from users enables Novakid to personalize and improve the services, to allow the users to set up accounts on the Website or get information about our services. We collect the following types of information from our Teachers and Users:

### **2.1 Information you provide to us:**

#### **2.1.1 At Registration:**

We collect the following personal data uploaded during the registration on the Website:

- Full name,
- E-mail address,
- Phone number.

Please note that the e-mail address provided does not require the inclusion of personal data, such as your name. You are free to choose an e-mail address that contains information about your identity.

After the Registration you must add the following personal data to your Novakid Account in order to use our services:

- Your children's data (name, age, gender).

### **2.1.2 While Chatting:**

We collect the following personal data uploaded during the Chatting on the Website:

- E-mail address,
- Any other personal information provided by you during Chatting.

### **2.1.3 When participating in Online Classes:**

We collect the following personal data uploaded during Online Classes:

- Video (including audio) of the participants of Online Classes,
- Parental, sibling and extended family details,
- Homework or any educational progress submitted via the Website,
- Attendance,
- Level of proficiency in English language,
- Any other personal data shared directly or indirectly during Online Classes (including but not limited to personal information of third parties, racial or ethnic origin, religion or beliefs).

### **2.1.4 When Applying as a Teacher:**

We collect the following personal data uploaded during Applying as a Teacher:

- Full name,
- Teaching experience,
- Photo and video about the data subject,
- Birthday (age),
- Languages spoken,
- Gender,
- E-mail address,
- Nationality,
- Skype ID,
- Phone number,
- Previous work experience,
- Educational information,
- Residency information,

- Information on other teaching certificates.

### **2.1.5 When you provide data voluntarily:**

We may collect the information that you provide for participating in a contest or/and project, sending the feedback about services or/and application, taking part in opinion polls. This information may include:

- E-mail address,
- Phone number,
- Any other personal information provided by you voluntarily.

### **2.1.6 When engaging in Professional Learning Activities:**

We collect the following personal data when you engage in the Professional Learning Activities:

- E-mail address,
- Full name,
- Teaching experience,
- Phone number,
- Nationality,
- Any other information provided by you voluntarily.

## **2.2 Information Collected Automatically:**

We receive and store certain types of information whenever you interact with our Website, services or Application.

### **2.2.1 When using the Website**

Novakid automatically receives and records information on our server logs from your browser including your IP address, unique device identifier, browser characteristics, domain and other system settings, search queries, device characteristics, operating system type, language preferences, referring URLs, actions taken on our Website, page requested, content consumed (e.g., viewed, uploaded, and shared), dates and times of Website visits, gender, age range, approximate location and other information associated with other files stored on your device.

### **2.2.2 When using the Application**

Novakid automatically receives and records information on our server logs from your phone you installed the Application on, including usage information related to it: the date and time you access the Application, activities in the Application, time spent in the Application and its regularity, visited content, search terms used, links clicked/tapped on.

### **3. WHAT ABOUT COOKIES?**

The Company processes anonymous data in order to improve the Website, to bring it to perfection. During this procedure Novakid can incorporate “cookies”, which collect the visitor’s first level domain name, the date and the exact time of access and other informations. The “cookie” alone can’t be used to reveal the identity of the visitor. The “cookie” is a small text file, which is sent to the browser of the visitor and stored on the hard drive of visitor. Cookies don’t damage the computer of the visitor. The browser can be set to indicate when a cookie is received, so the visitor can decide to accept the so-called cookie or not. The Company does not use cookies to collect or manage any information that would allow the identification of the user. For further information, please read our [Cookie Policy](#), an integral part of the [Novakid General Terms and Conditions](#).

### **4. HOW DOES NOVAKID USE THE COLLECTED INFORMATION?**

We may use the information we collected, including your and your children’s personal information - based on diverse purposes as well as the legal basis of the processing - as follows:

4.1 We process the following personal data for the purpose and on the legal basis of the performance of the contract, product and service fulfillment:

- Full name,
- Children’s name,
- Children’s age,
- Children’s gender,
- E-mail address,
- Phone number.

The above obligatory or optional personal data you provide is used for purposes such as fulfilling the obligations defined in the Terms of Use and providing the service, responding to your questions, requests relating to the service, customizing the visualized content, communicating with you about sales offers relating to special services and new features, and responding to problems relating to our services.

4.2 We process the following personal information based on the legitimate interest of the Company for marketing purposes and to deliver e-mails:

- Full name,
- Email address,
- Phone number,
- Any other personal data provided to the data processors of Novakid,

Whenever Novakid processes data for its legitimate interest, Novakid always keeps your personal data rights in high regard and will take them in account. The users always have the right to object to this processing. However, objecting against such data processing might affect Novakid's ability to carry out tasks above for the benefit of the user.

4.3 We process personal data for the purpose and on the legal basis of compliance with legal obligations to prevent fraudulent transactions, monitor against theft and otherwise protect our customers and our business. We also process personal data for the purpose and on the legal basis of legal compliance and to assist law enforcement and respond to subpoenas.

This means that in some cases the data processing is stipulated by the applicable laws and we have an obligation to process and keep this data for the required time. This includes employment data, billing data, data which is necessary to assist law enforcement etc.

4.4 We process the following personal data for the purpose and on the legal basis of the legitimate interests of the Company, to improve the effectiveness of the Website, our services, and marketing efforts, to conduct research and analysis, including focus groups and surveys and to perform other business activities as needed, or as described elsewhere in this Policy:

- IP address,
- Browser information,
- Contact information,
- Content consumed on the Website,
- Unique device identifier,
- Browser characteristics,
- Domain and other system settings,
- Search queries,
- Device characteristics,
- Operating system type,
- Language preferences,
- Referring URLs,
- Actions taken on our Website,
- Page requested,
- Content consumed (e.g., viewed, uploaded, and shared),
- Dates and times of Website visits,
- The link that you have been redirected to our Website from,

- Gender,
- Age range,
- Approximate Location,
- The type of web browser used,
- Actions taken in the Application,
- Dates and times of using the Application,
- Time spent in the Application and the regularity of your visits,
- Other software and hardware information,
- Other information associated with other files stored on your device.

Where it is feasible, we anonymize personal data or use non-identifiable statistical data. We do not collect personal data in advance and store it for potential future purposes unless required or permitted by the applicable laws.

We use the following software services and applications for collecting anonymous data and performing statistical analysis of the usage of Novakid platform:

<b>Name</b>	<b>Registered seat</b>	<b>Country</b>
Google Analytics and Google AdWords (Google LLC.)	1600 Amphitheatre Parkway Mountain View, CA 94043	United States of America
Facebook pixel (Facebook Inc.)	1601 Willow Road Menlo Park, CA 94025	United States of America
The Rocket Science Group, LLC (MailChimp)	675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308	United States of America
Microsoft Corp	1 Microsoft Way Redmond, WA 98052	United States of America
Yandex, LLC.	16, Leo Tolstoy Street Moscow, 119021	Russian Federation

4.5 Data integrity and purpose limitation: Novakid will only collect and retain personal data which is relevant to the purposes for which the data is collected, and we will not use it in a way that is incompatible with such purposes unless such use has been subsequently authorized by you. We will take reasonable steps to ensure that personal data is reliable for its intended use, accurate, complete and current. We may occasionally contact you to



determine that your data is still accurate and current. To secure your personal information processed we save your personal information to backup archives in every 24 hours.

## **5. HOW LONG WE RETAIN YOUR PERSONAL DATA?**

We will retain your personal data for so long as it is needed to fulfill the purposes outlined in this Policy or until you withdraw your consent, unless a longer retention period is required or permitted by law (such as tax, accounting or other legal requirements, further for the establishment, exercise or defense of legal claims).

When we have no longer or no legal basis to process your personal information, we will either delete or anonymize it, or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

## **6. WILL NOVAKID SHARE ANY OF THE INFORMATION IT RECEIVES?**

6.1 Information about our users is an integral part of our business, and we may share such information with our affiliated entities. Except as expressly described below, we neither rent nor sell your information to other people or nonaffiliated companies unless we have your permission.

6.2 Novakid shall not ensure access for a third party to personal data provided by you without your preliminary consent, except the cases, when data transfer is necessary for the performance of the contract or for enforcing of Novakid's legitimate interest or prescribed by law.

6.3 Every teacher providing services to Novakid is considered as a data processor according to the regulations of the GDPR. The teachers have access only to the personal data of the children they are teaching in order to minimize the processing of personal data.

6.4 Novakid may share certain personal information with third party vendors in the EU or in third countries that may include:

- Payment service providers;
- Cloud service providers;
- Software development tool and cloud services providers;
- Marketing partners;
- Customer support services providers;
- Learning services providers;
- Professional advisers, including consultants, accountants, auditors, solicitors.

Novakid may also share your information with public authorities, court or government representatives as necessary in accordance with applicable laws and regulations.

We will require that these third parties maintain at least the same technical and organizational measures of data protection and confidentiality. Those third parties will never use your personal information for any other purpose except to provide services in connection with the Website and our services.

6.5 We may disclose your personal data to some US companies, in particular to Stripe Inc., Intercom Inc. and Google LLC for the purpose of providing services to you. We take steps to ensure adequate safeguards are in place to protect your data, that includes implementing the European Commission's Standard Contractual Clauses for transfers of personal data between these third party service providers and partners. Please note, that above mentioned companies comply with the EU-US and the EU-Swiss Privacy Shield Frameworks, therefore transfer of your personal data to the aforementioned service providers was deemed safe until July 16, 2020. Please note that according to the judgment no. C-311/18 of the Court of Justice of the European Union, these companies are no longer considered to provide appropriate safeguards for the personal data of European citizens. For more information, you can read the judgment [here](#).

6.6 We only transfer personal data collected from individuals located within the EU only with the consent of the individuals to a third-party having a registered seat outside the EU / in the USA acting as a data processor without the appropriate safeguards set out in the GDPR, or when it is necessary for the performance of the contract. Novakid will make every effort to ensure that the personal data transferred is safe and secure and that the personal data is processed in a manner consistent with the GDPR.

## **7. IS INFORMATION ABOUT ME SECURE?**

We take commercially reasonable measures to protect all collected information from loss, theft, misuse and unauthorized access, disclosure, alteration and destruction. Please understand that you can help keep your information secure by choosing and protecting your password appropriately, not sharing your password and preventing others from using your computer. Please understand that no security system is perfect and, as such, we cannot guarantee the security of the Website, or that your information won't be intercepted while being transmitted to us. If we learn of a security systems breach, then we may either post a notice, or attempt to notify you by email and will take reasonable steps to remedy the breach.

## **8. LINKS TO THIRD-PARTIES**

On our Website we can embed links to third-party websites. It must be understood that when you click on any of these links or use their widgets, any Personal Data you provide will be protected under the third-party policies and terms. We have no control and

responsibility for services, privacy policies, or terms of any third-party websites or/and services.

## **9. SOCIAL NETWORK INTEGRATIONS**

In case when you use a third party platform or social network to access or/and set up an account on the Website, this third party may provide your personal data to us if you so allow. These platforms or/and social networks are not controlled by or affiliated with Novakid. Therefore, read their privacy policy and terms of use carefully so that you understand how they use your personal data and what might be shared.

At any time you may make changes to the data that these third parties share with us by changing your settings for these platforms or/and social networks, or stop allowing the Website to interact with those platforms or/and social networks.

## **10. CHILDREN'S PRIVACY**

10.1 Novakid is committed to protecting the privacy of children who use our services including our Website and Application.

This Policy and Novakid' privacy practices are in accordance with the United State's Children's Online Privacy Protection Act of 1998 ("**COPPA**") as well as the Council of Europe's Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment ("**Guidelines**").

For information on how to protect your child's privacy online please make sure to read the following documents before Registering on the Website:

- [The Federal Trade Commission's guidelines on Protecting Your Child's Privacy Online,](#)
- [UNESCO's guidance for students, teachers and parents on personal data and privacy protection in online learning.](#)

10.2 At Registration, Novakid obtains the consent of the statutory representative for collecting the personal data of minors. Novakid asks for the phone number and e-mail of the statutory representative to make sure that no child Registers on the Website. Novakid does not collect personal information directly from children at Registration. If we learn that we have collected personal information directly from a child under 16 without the consent of their statutory representative, we will take steps to delete such information from our files as soon as possible. If you are aware of anyone under 16 registered on the Website, please contact us at [policy@novakidschool.com](mailto:policy@novakidschool.com).

10.3 At any time, you can withdraw your consent of Novakid collecting further personal information from your child and can request that we delete the personal information we have collected in connection with you or your child from our records. You can request the

deletion of your data by connecting Novakid via the chat services after you logged in. Please keep in mind that a request to delete records may lead to termination of your Account which disables the accessibility of Online Classes in the future.

10.4 As your and your child's personal data are processed by the Teachers of Novakid, we concluded a data processing contract with them in order to prevent fraudulent or inappropriate activities as well as to regulate the Teacher's data processing activities during the providing of our Services. If you think that a Teacher steps over legal and/or ethical limitations during the data processing or he or she processes your data incorrectly or unlawfully, please contact us at [policy@novakidschool.com](mailto:policy@novakidschool.com).

## **11. YOU AND YOUR CHILD'S PRIVACY RIGHTS**

### **11.1 Access and Retention:**

If you have an account registered on the Website, you can log in to view and update your account information. You have the right to obtain confirmation of whether or not we are processing personal data relating to you or your child, have communicated to you such data so that you could verify its accuracy and the lawfulness of the processing and have the data corrected, amended or deleted where it is inaccurate or processed in violation of the GDPR.

We encourage you to contact us at [policy@novakidschool.com](mailto:policy@novakidschool.com) with your questions or concerns, or to request edits to your and your child's personal information, or to have it removed from our database. Requests to access, change or remove any personal data you provided to us will be handled within 30 days.

### **11.2 Additional Rights for EU Territory:**

If you are from the territory of the EU, you may have the right to exercise additional rights available to you under applicable laws, including:

(a) **Right of Erasure:** In certain circumstances, you may have a broader right to erasure of personal information that we hold about you – for example, if it is no longer necessary in relation to the purposes for which it was originally collected. Please note, however, that we may need to retain certain information for record keeping purposes, to complete transactions or to comply with our legal obligations.

(b) **Right to Object to Processing:** You may have the right to request Novakid to stop processing your personal information and/or to stop sending you marketing communications.

(c) **Right to Restrict Processing:** You may have the right to request that we restrict processing of your personal information in certain circumstances (for example, where you believe that the personal information we hold about you is inaccurate or unlawfully held).

(d) **Right to Data Portability:** In certain circumstances, you may have the right to be provided with your personal information in a structured, machine readable and commonly used format and to request that we transfer the personal information to another data controller without hindrance.

### 11.3 Additional Rights for Brazilian individuals

If you are a Brazilian individual, you have the following rights in addition to the rights described in section 9.1 of this Policy:

(a) **Right of erasure:** If you would exercise this right, we will respond to you immediately, or if that is not possible, we will send a reply to you to indicate the reasons of fact or law that prevents the immediate adoption of the measure. If we are not the data processors of the data you requested the erasure of – whenever possible – we will indicate who the processing agent is.

(b) **Right to be informed:** You have the right to obtain information about what types of processing we carry out on your personal information.

(c) **Right of access:** If you request the providing of your personal data processed by us, we will grant you access to such data in 15 days of your request, if the data requested is more than the simplified request version.

(d) **Nondiscrimination:** We do not process your data for unlawful or abusive discriminatory purposes. In certain circumstances, you have the right to request a review of our data processing and the supervisory authority (the Brazilian National Authority for Protection of Data (hereinafter: “ANPD”)) may carry out an audit to verify discriminatory aspects.

(e) **Data portability:** Your data might be transferred to another service or product supplier in accordance with the regulations of the ANPD and as subjects to commercial and industrial secrets.

You also have the right to complain to the ANPD about our collection and use of your personal data. For more information, please contact the ANPD.

### 11.4 Data protection officer

If you would like to exercise the rights included in this section 9 of this Policy, please contact our data protection officer (hereinafter “DPO”) at [dpo@novakidschool.com](mailto:dpo@novakidschool.com) or at 548 Market St 8291, San Francisco, CA 94104, USA. We will consider your request in accordance with applicable laws. To protect your privacy and security, we may take steps to verify your identity before complying with the request.

For any complaints that we can’t resolve directly, please contact our European Representative Weiszbart and Partners Law Firm (address: 1052 Budapest, Kristóf tér 3. III. flr., Hungary; e-mail address: [weiszbartandpartners@gmail.com](mailto:weiszbartandpartners@gmail.com)).

If you don't agree with our decision, you have the right to an effective judicial remedy or to lodge a complaint to any European Data Protection Authority. You also have the right to complain to the EU Data Protection Authority about our collection and use of your personal data. For more information, please contact your local EU Data Protection Authority. The list of European National Data Protection Authorities can be found [here](#).

## **12. MODIFICATIONS TO THIS POLICY**

If our privacy practices change, we reserve the right to modify this Policy. We will post a modified version at the Website. So please review it regularly.

## **13. FOR THE USERS IN THE UNITED STATES**

If you are a user residing in the USA, the [Company's Privacy Notice for US Residents](#) applies to you. We will not share any personal data with third parties for their direct marketing purposes to the extent prohibited by applicable legislation. If our practices change, we will do so in accordance with applicable laws and will notify you in advance.

### **Questions**

If you have any questions concerning this Policy or the services, please contact us at [policy@novakidschool.com](mailto:policy@novakidschool.com). You can also contact us at our contact office at 548 Market St 8291, San Francisco, CA 94104-5401, USA.