

Updated: February 18, 2024

OURGUID PRIVACY POLICY

Data Controller:
Ourguid, LLC.,
address: Casablanca, hay mohammadi,
HAKAM 1, RUE 22, N°27, Morocco
email: contact@ourguid.com

To contact
Data Protection Officer:
email: contact@ourguid.com

Ourguid is committed to protecting your personal data. We tried to write this Privacy Policy in the most clear and plain language possible. Likewise, we tried to provide you with our privacy commitments in a transparent and easily accessible way. That said, we hope you will get all the needed details to be assured your personal data is safe with us.

Before you give us your consent on the processing of your personal data or provide us with your personal data within any form on our website, we kindly ask you to read this Privacy Policy carefully, so we can be sure that you completely understand the conditions under which we would cooperate. This Privacy Policy applies to your use of the Services of Ourguid, as defined in our Terms of Service. This Privacy Policy explains when, where, and why we process the personal data of people who use the Ourguid Platform, how we use it, the conditions under which we may disclose it to others, your rights in respect of your personal data, as well as how we keep it secure.

GENERAL

Access to the Ourguid Platform (including Website, related software) is available with or without the necessity to register an account. You may access our Website without registration. Therefore, limited use of the Services is always possible without the provision of your personal details (for example, browse the Website, check how Ourguid works, look through the list of tutors, read the Ourguid Blog, review the variety of services, etc.). However, whenever you access the Website, we collect log information and put cookies on your device, by which we track your activity on the Website. You can always opt out of cookies except those without which the Website cannot work.

When you are a registered user, Ourguid may collect from you and process cookie identifiers and the data you specifically provide us with upon registration, including first name, last name, email, phone number, Skype ID, or social network ID (if assigned through Facebook or if accessing Google Calendar), time zone, interface language, IP address, and device type.

Specifically, if you are a tutor, we may also collect and process, besides the aforementioned information, the other data provided by you, including zip code, gender, year of birth, city of residence, and education experience.

Registered users may additionally provide profile pictures as well as chosen currency to perform actions pursuant to our Refund and Payments Policy.

You can find out more about the specific cases of data collection and the purposes of the processing of such data in a separate section of this Privacy Policy.

We may change this Privacy Policy from time to time, so please check this page to ensure that you're happy with any changes. We will post those changes on this page and update the Privacy Policy modification date at the top of this page. Additional notifications on any amendments will be sent to your email.

We may also occasionally experiment with different features of the Ourguid Platform which can affect the scope, purposes, or other details of the processing of personal data. In such cases we will provide prior notification and, if necessary, obtain your consent.

Any questions regarding this Policy and our services should be sent to ourguid@ourguid.com

1. What Is Personal Data and the Processing of Personal Data? Main Definitions

Personal data is any information relating to you that alone or in combination with other pieces of information allows a person that collects and processes such information to identify you as an individual.

Processing of the personal data means any operation with your 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 subject is any identified or identifiable natural person whose personal data is processed by the controller responsible for the processing; means you as a user of Ourguid.

Consent of the data subject/user is any freely given, specific, informed, and unambiguous indication of the data subject/user's wishes by which he or she, by a statement or by clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2. Ourguid's Lawful Bases for Processing

Ourguid processes your personal data only when we have lawful bases. Specifically, Ourguid processes your personal data if:

- processing is based on the consent you have given. As such our newsletters, collection, analysis, and publication of user feedback and reviews, analysis of video lessons, your participation in our events and webinars, and placement of different types of cookies, and posting of the sweepstakes winners is based on your consent;

- processing is necessary to provide our services to you according to our Terms of Service which constitute a contract between you and us as regards to information services of Ourguid;
- processing is based on the explicit consent you have given to us and our online verification provider to process your biometric information for the purposes of tutor identity verification and fraud identification;
- processing is necessary for the purposes of our legitimate interests. Those legitimate interests may include but are not limited to:
 - ❖ compliance with the U.S. financial and accounting legislation;
 - ❖ the assessment of Ourguid's business efficiency by analyzing the Ourguid Platform traffic and financial performance indicators;
 - ❖ promotion of Ourguid through social media networks, media outlets, referees and affiliates, such as bloggers or influencers; this in particular concerns the right of Ourguid to use the tutor's name, profile picture and other details for marketing, advertising or promotional purposes pursuant to the Terms of Service;
 - ❖ performance of the contracts with Ourguid Business customers and provision of reports on their employees' and contractors' language learning progress and results of language assessment tests;
 - ❖ user session control and fraud prevention, ensuring the appropriate protection of personal data;
 - ❖ tutor verification and development of high-quality learning programs with tutors;
 - ❖ enhancing the learning experience for tutors and students by providing AI-powered personalized recommendations, improved lesson planning, and interactive learning tools.
- where necessary, compliance with applicable legislation (e.g., data subject request processing);
- in exceptional cases, to protect your vital interests or vital interests of another natural person; or for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.

In all cases, we will notify you about the applied legal basis for processing and other relevant details before we start the processing of your personal data on a specific legal basis unless we are not able to do so in accordance with our obligations under any applicable legislation.

3. Data We Collect: Scope

Ourguid collects from you only the following information and only for the stated below purposes:

(1) Account for Students

Ourguid collects and processes personal data submitted by you upon registration and further editing of settings in your Account. For registration purposes, you submit your login credentials (username and password), first name, last name, and email. You may also edit your Account anytime with additional information as well as sync your Google and Ourguid Calendars. Such additional information may help you to find a suitable time slot with a tutor

or to have more visibility of your schedule. At the same time, you are not required to provide additional information not specifically necessary for the registration; it is your choice.

(2) Account for Tutors

Ourguid collects and processes personal data submitted by you upon registration and further editing of your profile. For registration purposes, you submit your login credentials (username and password), first name, last name, and email. You may also edit your profile anytime with additional information as well as sync your Google and Ourguid Calendars. Such additional information may help you to find a suitable time slot with a student or to have more visibility of your schedule. At the same time, you are not strictly required to provide additional information not specifically necessary for the registration. Therefore, it is your choice whether to include additional data in your profile, or not, such as zip code, country, language skills, education, and work experience.

Some personal data, such as users' names and location, that is listed in your user profiles or derived from IP Addresses may be publicly visible to other users on the Services or to the web. We may implement a feature that permits you to choose what information is made public by changing your privacy setting in "Edit My Profile" within the Service.

(3) Subscription to the Ourguid Blog

You may decide to subscribe to the Ourguid Blog to receive newsletters and updates from the Ourguid Blog. For this, we require you to give us your email.

(4) Posting of Information

We process personal data freely submitted to you on Ourguid. This may be a survey and online form you fill in on Ourguid, a question or comment left in the Q&A section of our Website, or feedback you provide us with.

Ourguid may also process information provided by you (including content and messages) that you post on/through the Ourguid Platform, including personally identifiable information. By doing so, you acknowledge that any information you share through the Services will be available to Ourguid and to other users of the Services (students/tutors). You also acknowledge that parts of your content cannot be deleted from the Service as it may be connected to the Lessons created by you and used by other users (students/tutors).

From our turn and unless you opt out, we retain this information as necessary to resolve disputes, provide customer support and troubleshoot problems as permitted by law. We reserve the right to terminate the accounts of visitors who use these services in a manner inconsistent with the Terms of Service.

(5) Service Use, Cookies and Other Similar Technologies

When you use our Services, we monitor and analyze web traffic and keep track of your behavior.

Please refer to our Cookie Policy for further details as to our use of cookies and similar technologies.

(6) Billing Information

We process the details of transactions you carry out through the Ourguid Platform (such as ID, date and time of transaction).

(7) Ourguid Business

We may collect your name, email, company name and phone number to give you more information regarding Ourguid Business Services, as defined in Ourguid Business Terms.

(8) Sensitive Data

Unless you expressly agree, Ourguid does not process your sensitive data.

(9) Pages on Social Networks

We maintain Ourguid's official pages on social networks, such as Facebook, TikTok, Instagram and LinkedIn. When you interact with Ourguid's official pages in social networks, such as subscribing to the pages or leaving comments or reactions (e.g., 'like' our posts), we can analyze this data to measure our efficiency and conduct an analysis of our social media marketing campaigns in our legitimate interests.

(10) Tutors Community (for Tutors Only)

We maintain a Tutors Community which can be accessed through our Facebook group. To fulfill purposes specified under subsection (10) of section (4) of this Privacy Policy, we will also collect and process your interaction data and usage data within the Tutors Community.

(11) Tutors Academy (for Tutors Only)

By registering as a tutor, you will be able to access our Tutors Academy and take various courses to gain new skills, improve your methodology, boost your ranking and get the most out of the Ourguid Platform. We will collect and process your activity data as well as your comments, reviews and survey results to optimize and improve our courses and make them more engaging and effective.

(12) Information Required for Submitting Tax Documentation

To comply with the applicable tax and accounting legislation, we may be required to submit various tax documentation containing your personal data. For example, a federal tax form 1099 or such other required tax form(s) necessary to receive a sweepstakes prize or withhold taxes. For submitting tax documentation, we may process your personal data, including, but not limited to, your full name, country of citizenship, permanent residence address, mailing address, date of birth, U.S. taxpayer identification number, or foreign tax identifying number.

The Directive (EU) 2021/514 (DAC7) requires us as a digital platform operator to collect, verify, and report data and information on reportable sellers (i.e., tutors to whom DAC7 applies) conducting relevant activities through the Ourguid Platform. To comply with our reporting obligations under DAC7, we may process your first name, last name, primary address, date of birth, tax identification number (TIN), VAT number, and financial account identifier (e.g., bank account).

(13) Information Required for Marketing and Promotion

We may collect the tutor's postal address to promote the Tutoring Services that you provide via the Ourguid Platform and help you reach more prospective students looking for Tutoring Services within a certain geographical area.

(14) Analysis of Speech Activity

When you give/take lessons on the Ourguid Platform, we may analyze your microphone activity and measure the volume of the sound. We do it to provide you with an overview of your speaking activity and to let you know how active you were during the lesson. Please be assured that we do not record your voice, words, or the content of your conversations.

If you are based in any country within the European Economic Area (EEA) or Switzerland, we will provide you with an opportunity to turn this feature off to your own preference, as the processing is based on our legitimate interest.

(15) Language Assessment

We process your personal data to assess your level of language proficiency. For this, we may additionally process your name, email address, and the results of your language assessment. Such an assessment may take place before or after you register on the Ourguid Platform.

(16) Video Lessons, Sales Calls, Events and Webinars

We may process your likeness and interactions in videos when you conduct/take group classes on the Ourguid Platform, take part in sales calls, or attend our webinars and events. We will not record you without giving notice first and asking for your consent if required.

(17) Information Processed by AI-Powered Tools

We have integrated certain AI-powered tools from third parties to enhance your experience when you use the Ourguid Platform. For example, we may use your text prompts and, if you give consent, your lessons transcripts to provide personalized learning recommendations, generate lesson plans, offer grammar explanations, enrich vocabulary cards or messages, suggest exercises and homework, assess language proficiency levels, and enable chatbot functionality for vocabulary practice and grammar inquiries.

(18) Tutor Verification (for Tutors Only)

We process your facial biometrics (we have engaged a third-party online verification provider for this purpose) and your ID to verify your identity and identify fraud.

4. Data We Collect: Purposes

We may process the personal data you provided us voluntarily for the purposes defined below. From our perspective, we process your personal data to personalize the use of Ourguid to the fullest extent possible and to provide you with high-quality Services under the Terms of Service.

(1) Provision of Services

Primarily, we process your personal data to authorize access to our Services and to fulfill our obligations under the Terms of Service for Services provision. Specifically, we use your

personal data upon registration to help others (be it a tutor or a student) find your account or profile, schedule, give and/or take lessons, and track your learning progress.

In order for you to use the Services, you will need to provide payment (e.g. credit card details) and billing information through our partners – third-party payment providers, which process your personal data encrypted and securely. Please see our Refund and Payment Policy for more information.

We may also ask you to take a language assessment test in order to establish your level of language proficiency.

For companies using the Ourguid Business Services, we process the personal data of their Authorized Users to create their accounts, enable access to the Services, provide language assessment, language learning progress reports and results of language assessment tests.

Please note that without the information provided by you under our Terms of Service, we will be unable to provide you with the functionality of Ourguid Platform, connect you with other users, allow you to communicate with them and take/give lessons.

(2) Payment Services

We use third-party payment providers to bill you through an online account payment in lieu of directly processing your credit/debit card information. Your paid balance for one or more lessons is safe in your account as we use an integrated iframe for checkouts from our partners-payment providers (Stripe, PayPal) and tutors get the payment for each confirmed lesson securely through third-party payment providers (Stripe, PayPal, Payoneer).

Correspondingly all transactions are secured as our partners-payment providers use SSL encryption protection. All payment information is stored encrypted and securely by PayPal, Stripe service. We do not store your payment information on our servers.

We may also use your payment card transaction data as shared by third-party service providers to confirm a specific transaction occurred and that you qualify for a promotional offer; for example, the date and amount of your purchase and the last 4 digits of your card number so that we can verify your purchase with our records.

(3) Referral Programs

For our “Tell-A-Friend” referral program, we generate a personalized referral link for you to share with your friends to sign them up. We will not collect your friend’s personal data until they follow the link and access the Ourguid Platform.

For our B2B referral program, you will be able to share the name, job position and email of your colleagues who may be interested in Ourguid Business Services. We will inform your colleagues that we’ve received their personal data in the course of our referral program at the time of initial contact.

(4) Communications

We may contact you via email and other ways, including through publicly available notices, for Services-related purposes (welcome letter, security and legal notices, announcements, Ourguid updates, reminders, suggestions, etc.). We may also use your data to enable you to communicate with other users through Ourguid, including exchanging messages, conducting video calls, and/or leaving feedback about other users.

Having received the communications from us, you are always able to opt out of such communications in each message, excluding legal notices, essential reminders/notifications or changes of user settings on Ourguid.

(5) User Research

Your contact data (including email, phone number, Skype name, etc.) may also be used for gathering feedback. We may contact you to participate in research to improve the user experience of our product. The research will be used for internal purposes only, including:

- Feature development and product updates;
- Marketing activities, including publishing them on Ourguid on other information resources;
- Customer Support updates;
- Other service updates for improving your experience.

Your feedback will not be video recorded, audio recorded, or webcast by the Interviewer without obtaining consent from you first. The same applies to your voice and/or image recording.

(6) Marketing and Promotion of Ourguid

We may process your first name, last name and email on our mailing list or for the newsletter and send you messages with some commercial or promotional information about our Services. But don't worry. We will request your consent first, and you may always opt out of our marketing messages using the mechanisms described under the respective link in each message and through the user settings available on Ourguid.

If you provide us with your phone number, we may also contact you with some commercial or promotional information about our Services.

To promote the Ourguid Platform through the blog and influencer channels, we allow individuals to participate in the affiliate program on our Website. When we receive the information to participate in the affiliate program, we process this information to register you as an affiliate and further track the progress of the promotion of the Ourguid Platform.

We may use the postal address collected from you upon your consent in connection with search engine marketing and optimization.

Also, please pay attention that we may use the information provided by you as feedback. The latter, under Section 12 of the Terms of Service, may be used by Ourguid without any additional compensation to you.

(7) Behavioral and Social Media Marketing

We may share your email address with Google and Meta for the purpose of delivering personalized advertisements to you and engaging in behavioral and social media marketing. We will conduct these marketing activities based on our legitimate interest and with consideration for your interests and privacy.

(8) Identifying Influencers for Potential Collaborations

We may use third-party services, such as Captiv8, Inc. and LiveRamp Holdings, Inc. to analyze the information you provide to us at the time of registration (such as your name and other identifiers), execute a matching exercise, and discover our most influential students for the purposes of proposing collaboration with us. In doing so, we may receive some of your personal data from Captiv8, Inc. (such as your social media profiles) and form a joint controllership over your data. In case we discover that you are an influencer and decide to propose collaboration, we will provide you with a short privacy notice explaining this processing activity in detail.

(9) Analytics and Development

In order to establish new ways to improve the Ourguid Platform, find the points of interest in our Services and for the purposes of analytics, we monitor and analyze the personal data you provide us with, including information you provide upon registration, the web traffic, cookies and usage data, such as the parts of our Services you visit, the date and duration of your visit, your location, type of the device you used during your visit and other relevant data on the use of the Ourguid Platform. For these purposes, we use services such as Google Analytics for Firebase, Hotjar HeatMaps & Recordings, Amplitude Analytics, Branch.io, Braze, and Intercom, the use of which ensures compliance with our privacy commitments.

For the purposes indicated above, we may also run occasional research activities, including personalized “A/B” tests. During the tests, we will display different content to the users based on various criteria, such as their country. The purpose of such tests is to understand user engagement and satisfaction with certain features in order to improve the user experience, develop new useful features, and streamline our Services.

We may also carry out polls and surveys through Ourguid using external GDPR-compliant services. You are not obliged to respond to them and you may opt out of such polls and surveys through user settings. In order to inform, optimize and serve you relevant advertising based on your past use of our Services, we may process your usage data and cookies. Please, follow our Cookie Policy for additional information.

(10) Tutor Verification and Program Preparation

To ensure a high quality of lessons given by tutors on Ourguid, we collect and process tutor credentials to verify their eligibility to teach subjects claimed by them. Besides that, we cooperate with the tutors and use their information to help them develop learning programs.

In order to verify tutor identity and identify fraud, we process tutors’ biometric information and ID.

For the purposes of analytics, we additionally process tutors’ registration data to automate and improve the tutor verification process.

(11) Improvement of Tutors' Ranking Algorithm

We gather and use various metric-based data to enhance the tutors' ranking algorithm and improve your experience on the basis of our legitimate interest. This data may also consist of personal data that the tutors and students provide on the Ourguid Platform. You can refer to Section 3.6 of our Terms of Service to learn more about the categories of data we may collect.

(12) Managing Tutors Community

We process the email, interaction and usage data of tutors participating in Tutors Community to provide them with the ability to come together and share their best practices, get official up-to-date information, and interact with each other and with Ourguid based on our legitimate interest in community building. We also use the collected data for the purposes of moderation and statistics and to improve the tutor's user experience.

Rest assured that access to the personal data submitted by you to the Tutors Community will be restricted to service providers and employees on a need-to-know basis.

(13) Support and Platform Supervision

In case of any disputes on Ourguid and other Services-connected issues, we may use data (including communications) to resolve such matters, supervise user behavior on the Ourguid Platform, and respond to any complaints or requests.

(14) Events and Webinars Conducted by Ourguid

We use the personal data we collect from you when you register and/or attend any of our events or webinars to provide you with access to such events or webinars, as well as to send you registration confirmation, reminders, associated useful materials or the information you have requested about our Services.

(15) Competitions and Sweepstakes

- **Competitions.** From time to time, we conduct learning-focused competitions for individuals that meet certain criteria. Participants are required to fill in the registration forms to register for the competition and prove they are eligible. We process this information exclusively to organize and conduct the competition, determine the winner(s), and contact them regarding the results and prizes.
- **Sweepstakes.** From time to time, we conduct sweepstakes among registered users that meet certain sweepstakes entry requirements. We would process your user ID, name, date of birth, country of legal residence, and email address associated with your account on the Ourguid Platform to administer the sweepstakes (including verifying eligibility to participate in the sweepstakes, contacting you in the event you are selected to win a prize, providing the prize) and to comply with other legal requirements. To get the prizes the winners are required to submit an affidavit of eligibility and a federal tax form (or such other required tax form(s)). In addition, we may post the name of the sweepstakes winners on our Website upon your consent.

(16) Compliance with Legal Requirements

We process certain payment information to comply with applicable legal requirements in the field of finances and/or accounting. We also may process the data collected on the Ourguid Platform in connection with legal requests we receive from you or any other competent person and/or body, and we may use this information to exercise, defend and/or establish our legal rights.

(17) Fraud Prevention

Certain information, such as your log information, payment information and your behavior on the Ourguid Platform are subject to our supervision to prevent fraudulent activities and assist you in managing your user sessions.

(18) Changes

We may change the Ourguid Privacy Policy from time to time. Upon any changes to this Policy, your rights may not be reduced unless you provide explicit consent. The latest version is posted on this page. If we make substantial changes, we will notify you by sending an email.

5. How Is Personal Data Shared?

In order to provide high-quality services, Ourguid hires people, enters into agreements with independent contractors as well as cooperates with other services providers, companies and organizations strictly under data processing agreements (DPA) or Standard Contractual Clauses (SCCs). For those reasons, some of your personal data can be passed to the persons mentioned. Ourguid uses only secure places of storage, such as those provided by AWS (Amazon, the USA), with servers located in United States.

(1) Categories of Third-Party Service Providers

- Analytics services Personal data shared with this category of third-party service providers may include the information described in subsections 5 and 14 of section 3 of this Privacy Policy.
- Social network platforms and search engines Personal data shared with this category of third-party service providers may include the information described in subsection 7 of section 4 and subsection 2 of section 5 of this Privacy Policy.
- Customer communication solutions Personal data shared with this category of third-party service providers may include the information described in subsection 4 of section 3 of this Privacy Policy.
- User research tools Personal data shared with this category of third-party service providers may include the information described in subsection 5 of section 4 of this Privacy Policy.
- Services to manage emails and send out push notifications Personal data shared with this category of third-party service providers may include your contact details and the personal identifiers you provide to us.

- SMS providers for mobile marketing and notifications Personal data shared with this category of third-party service providers may include your contact details and the personal identifiers you provide to us.
- Payment services providers Personal data shared with this category of third-party service providers may include the information described in subsection 6 of section 3 of this Privacy Policy.
- AI-powered service providers Personal data shared with these categories of third-party service providers may include the information described in subsections 16 and 17 of section 3 of this Privacy Policy.
- Providers of video conferencing, speech-to-text, and conversation analytics tools Personal data shared with these categories of third-party service providers may include the information described in subsection 16 of section 3 of this Privacy Policy.
- Influencer marketing solution providers to identify and engage influencers Personal data shared with this category of third-party service providers may include your name and other identifiers described in subsections 1 and 2 of section 3 of this Privacy Policy.
- Language assessment tools Personal data shared with this category of third-party service providers may include the information described in subsection 15 of section 3 of this Privacy Policy.
- Search engine optimization and marketing tools Personal data shared with this category of third-party service providers may include the information described in subsection 13 of section 3 of this Privacy Policy.
- Services to manage Tutors Academy Personal data shared with this category of third-party service providers may include the information described in subsection 11 of section 3 of this Privacy Policy.
- Services to manage Tutors Community Personal data shared with this category of third-party service providers may include the information described in subsection 10 of section 3 and subsection 10 of section 4 of this Privacy Policy.
- Online verification providers Personal data shared with this category of third-party service providers may include the information described in subsection 18 of section 3 of this Privacy Policy.
- Tax and accounting compliance software providers Personal data shared with this category of third-party service providers may include the information described in subsection 12 of section 3 of this Privacy Policy.

(2) Use of Social Network Platforms

We use social network platforms like Facebook, Instagram, LinkedIn, and TikTok to maintain Ourguid's social media pages.

Please note that LinkedIn acts both as a processor engaged by Ourguid and as an independent controller of your personal data. Additionally, TikTok and Ourguid independently process your personal data as independent controllers.

As for Ourguid's Facebook and Instagram pages, Meta Platforms, Inc. ("Meta") is a joint controller for the processing of personal data. In particular, Meta and Ourguid are joint controllers for the pages' insight data and statistics, your reactions and comments under our posts, and other information you make available to Ourguid upon contacting us.

You may find more information on the Meta joint controllership arrangement at the following link: https://www.facebook.com/legal/terms/page_controller_addendum.

You may contact us with any questions related to your activity on Ourguid's social media pages on the above-mentioned social network platforms or our processing of your personal data.

The service providers mentioned under subsections 1 and 2 will help us to ensure that your data is secure within Ourguid.

Ourguid has contractors and subsidiaries in other countries, including those outside the European Economic Area, who may have access to your personal data. At the same time, in the cases when we pass your personal data to other persons, we ensure that your personal data is being protected and used only within the purposes specified in this Privacy Policy. This is achieved by using only certified services and products, signing data processing agreements for the protection of personal data with contractors and partners (including the Standard Contractual Clauses adopted by the European Commission and compliant with the EU data protection laws), as well as taking technical measures to ensure the information is protected when stored, used and while being processed and transferred.

(3) Data Transfer in Case of Change of Control or Asset Disposition

In the event of any merger, acquisition, sale or change of control, we'll continue to ensure the confidentiality of your personal data and give affected users notice before personal data is transferred or becomes subject to a different privacy policy.

(4) Companies Using Ourguid Business Services

We may share the Authorized Users' language learning progress and results of language assessment tests with their respective employers.

(5) Ourguid Independent Contractors

We work with independent contractors who help us provide you with our Services. Specifically, we may engage such contractors to assist us with data analytics and software development, customer support, promotion, marketing, user research, as well as financial

and legal matters. These contractors will only have access to your personal data on the need-to-know basis and under strict privacy and security obligations.

(6) Other Users of the Ourguid Platform

Your personal data may also be made visible to visitors and users of the Ourguid Platform. This can happen via personal contacts (between student and tutor), or in connection with the social features of the Ourguid Platform. For example, your profile picture and name may be visible if you have signed up for a group class or if you left a tutor review.

6. How Long Will the Personal Data Be Processed and Stored by Ourguid?

Your personal data will be stored by Ourguid for no longer than necessary for the purposes for which the personal data is processed.

Generally, Ourguid retains your personal data as long as your account is active. If your last activity on Ourguid was more than 2 years ago, your account will be considered expired. In this case or when you decide to delete your Ourguid account, we undertake to remove your personal data from our active systems and servers within 90 days or earlier.

However, in case of conflict situations in progress, Ourguid may retain your personal data for longer in order to be able to establish, exercise or defend legal claims. Upon the settlement of the conflict situation, all personal data gets deleted if the standard retention period has expired.

We may also retain some of your personal data for longer if we need it to comply with the applicable legal, regulatory, tax, accounting or other requirements.

Personal Data collected when you registered on our mailing list or for the newsletter will be stored as long as you are interested in receiving our emails. We consider that you're interested in this until you unsubscribe from the mailing list or the newsletter by clicking the respective link contained in each of our emails.

If you have registered for any of our events or webinars using your account credentials, we will merge and store this information along with your account data. If you have used other contact details, we will delete them within 30 days after conducting the event or webinar.

Lists of participants of the sweepstakes including those who entered the sweepstakes via the alternative method of entry (mail-in) will be deleted in 30 days after the close of the sweepstakes. The names of the sweepstakes winners published on our Website will remain publicly available till the withdrawal of your consent.

After the expiration of the retention period, Ourguid shall terminate the processing of your personal data unless otherwise set by the relevant legislation.

7. Your Rights as Data Subject Regarding Your Personal Data Ourguid Processes

(1) Right of Confirmation

You can obtain confirmation from Ourguid as to whether personal data concerning you is being processed.

(2) Right of Access

You can access your personal data processed by Ourguid.

(3) Right to Rectification

You can ask Ourguid to have incomplete personal data requiring corrections completed.

(4) Right to Erasure (Right to Be Forgotten)

You can request Ourguid to erase personal data. In most cases, Ourguid will erase it unless otherwise required by legislation.

To delete your personal data, you can:

- Contact us by email at contact@ourguid.com. We will respond to your request to delete your information within 30 days and notify you of the outcome.
- Delete specific items from your account (such as your payment method, etc.) by going to your account "Settings" page at <https://ourguid.com/settings>.
- Delete your entire account by going to your account "Settings" page at <https://ourguid.com/settings> and following the instructions for deleting your account.

(5) Right of Restriction of Processing

You can contest the accuracy of your personal data or in case Ourguid is not interested in processing your personal data any longer, but you want Ourguid to do this for different reasons, for example, to bring a claim against somebody and, instead of the erasure of information, its processing will be restricted.

(6) Right to Data Portability

You can have your personal data transmitted directly from one controller to another where technically feasible, and when doing so does not adversely affect the rights and freedoms of others.

(7) Right to Object to Processing of Your Personal Data by Ourguid

You can object to our processing of your personal data when the processing is related to the performance of our task carried out in the public interest or the exercise of official authority vested in us. The other case is if we process your data for the purposes of the legitimate interests pursued by us or by a third party and you believe that such interests are overridden by your interests or fundamental rights and freedoms. If you make a request with an objection to processing, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing.

(8) Right to Withdraw Consent at any Time by Contacting Us

After we at Ourguid receive a withdrawal request from you, we will process it in a timely manner, and we will no longer process your personal data unless otherwise set by law.

If one of the aforementioned reasons applies, please contact us, as instructed at the end of this Privacy Policy. We shall promptly ensure that the request is complied with immediately. These requests are free of charge.

If you believe that our use of your data violates your rights, you can lodge a complaint with the competent data protection authority.

Please note that when the processing of your personal data is carried out for direct marketing purposes, you have the right to object at any time to such processing without providing any justification and we will no longer process your data for such direct marketing purposes.

8. Other Privacy Commitments

(1) Cross-border Transfers

We process your personal data both within the United States and outside the United States. Although countries where we process data may have different laws, we take measures to ensure high standards of data privacy and compliance (namely, as provided in Section 5 of this Privacy Policy).

(2) Time for Reply and Reaction

Ourguid will provide information on action taken on your request related to your rights specified above within one month of receipt of the request for the longest. That period may be extended by two further months if Ourguid is overwhelmed by the number of requests or the request at issue is complicated and requires a lot of action. Ourguid will inform you of any such extension within one month of receipt of the request, together with the reasons for such delay.

(3) Security

Ourguid takes technical and organizational measures to ensure the information is processed in a manner that ensures appropriate security of information, including protection against unauthorized or unlawful processing and accidental loss, destruction or damage. For example, Ourguid uses verified contractors that might have access to the data with which the relevant data processing agreements are signed.

(4) Accessing Account to Provide Support

In exceptional circumstances, such as required customer support, our support specialists may need to access your account. When such an occasion occurs, they will be able to see the personal data submitted to your account, including your scheduled personal events, if your Google Calendar and Ourguid Calendar are connected.

We undertake to always ask for your permission to access your account before we start troubleshooting. Prior to granting us your permission, you might also consider editing your Google Calendar privacy settings with Google Calendar Help Center to hide your personal events from us.

Please note that if you do not want to grant your permission to access your account, it may affect the time and quality of the provision of customer support.

(5) Children's Privacy

The privacy of children is one of our concerns. Ourguid Services are not intended for use by children under the age of 18 without the supervision of their parent or legal guardian. If you

are under the age of 18 but not less than the age of 13, you will need to ask your parent/legal guardian to set up an account on the Ourguid Platform that you may use under their supervision.

We do not knowingly collect information from children under the age of 13 and discourage the use of Ourguid Services by children under this age. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children never to provide information on the Ourguid Platform without their permission.

(6) Breach Notifications

If there is a personal data breach that is likely to result in a high risk of adversely affecting your rights as the data subject, we would inform you and the respective data protection agencies as to the accidents without undue delay. We would also do our best to minimize any such risks.

(7) "DoNotTrack" Requests

Ourguid does not share personal data with third parties for their direct marketing purposes. Also, our Services do not support "Do Not Track" requests.

(8) California Privacy Rights

In case you are a resident of California, you are entitled to certain rights over your personal data under the California Consumer Privacy Act of 2018. Specifically, as a resident of California, you have the right to:

- know about the categories and specific pieces of personal data that we have collected about you and access a copy of your personal data ("Right to Know");
- have inaccurate personal data about you corrected ("Right to Correction");
- request deletion of your personal data that we have collected ("Right to Deletion");
- opt out of the sale of your personal data ("Right to Opt-Out").

Please note that we may ask you and/or your agent to provide certain information to verify your and/or your agent's identity and authorization before fulfilling the request. The information we request will depend on your prior interactions with us.

For more information about the personal data we collect and how we collect it, please refer to sections 2 and 3 of this Privacy Policy. To learn about the purposes for which your personal data is collected and the categories of service providers who have access to your personal data, please refer to sections 4 and 5.

Ourguid undertakes to treat you like everyone else and not discriminate against you if you choose to exercise your rights. To submit the request to exercise your rights, please send an email to contact@ourguid.com.

(9) Automated Decision-Making and Profiling

As a part of the Ourguid Platform functionality, we process the personal data of our tutors and students in a way that might be considered profiling.

Specifically, we use machine-learning algorithms that analyze various metric-based data and determine the tutor's ranking on the Ourguid Platform and their visibility to students. This is done to increase the matching efficiency between students and tutors on the Ourguid Platform and allow tutors to connect with the optimal number of students who best fit their way of working.

Please note that this type of processing is necessary to provide our Services. To know more about this process and the logic involved, please refer to Section 3.6 of our Terms of Service.

If you want to request human intervention, express your point of view, or contest the decisions made by the algorithms, please send us an email to contact@ourguid.com.

(10) Sale of Personal Data

We do not sell your personal data and the personal data of any minors under 16 years of age.

11. Legal Matters

Ourguid considers your use of the Services to be private. However, we may disclose your personal data stored in our databases in order to:

- (1)** comply with the law or legal process served on us;
- (2)** enforce and investigate potential violations of this Privacy Policy; including the use of the Services to participate in or facilitate activities that violate the law;
- (3)** investigate potential fraudulent activities; or
- (4)** protect the rights, property, or safety of Ourguid, its employees, customers or the public.

We hope this Privacy Policy helps you to understand how your personal data will be dealt with here at Ourguid. We will take care of your personal data, so you can use our Services and not be concerned about your privacy. Should you have any questions, e-mail us at contact@ourguid.com.

Your Ourguid Team