

felyx Privacy Statement

Version 6.0. Most recently amended: 18 May 2022

This Privacy Statement describes how felyx uses your personal data in regards to the services provided to you by felyx (“**Services**”). If you activate and use our application (the “**felyx App**”), for using one of our electronic scooters, or contact us for any customer support inquiries, or enter into a contract with us in some other manner, we process your personal data.

This Privacy Statement only applies to the usage of Personal Data of (prospective) customers for which felyx entity is responsible and qualifies as Controller under the General Data Protection Regulation (2016/679/EU) (“**GDPR**”), as further described in this Privacy Statement.

For the purpose of this Privacy Statement, we refer to ourselves as “**felyx**”, “**felyx Group**” or “**we**”, and we mean each felyx entity that is responsible for processing your personal data.

1. Who are we

When we refer to ourselves as “**felyx**”, “**felyx Group**” or “**we**” we mean each felyx Group entity that is responsible for using your Personal Data. This depends on the felyx Group entity that you intend to or have entered into an agreement to use our Services. Please see below an overview of the locations of felyx Group entities.

- Netherlands: felyx Sharing B.V., a private limited liability company incorporated under Dutch law, having its registered office at Joan Muyskenweg 22, 1096 CJ Amsterdam, The Netherlands, registered in the Trade Register under Chamber of Commerce number 69167249;
- Germany: felyx Deutschland GmbH, a private limited liability company incorporated under German law, having its registered office at Blücherstraße 22, 10961 Berlin, under number HRB 231547 B
- Belgium: our entity felyx Belgium B.V., a private limited liability company incorporated under Belgian law, having its registered office at Gaston Crommenlaan 8 in (B-9050) Gent, Belgium.

2. Personal data we collect

For the purpose of this Privacy Statement, “**Personal Data**” means any information through which we can identify you as an individual, as further described in this section 1 below. We collect Personal Data that you provide to us when you contact us, as well as Personal Data about your use of our Services, including via the felyx App, the Website, and through the use of our electronic scooters. In addition, we obtain Personal Data relating to you from third parties.

Data provided to us by you

Our Services for users are primarily provided via the felyx App. If you wish to use the Services provided by felyx, you will need to enter certain information in the felyx App (see also Section 5) so that we can complete your registration and can know for sure that you are who you say you are. For registration, we need the following from you:

- full name
- address details (your full name, address, postcode, and city/town); and
- phone number
- email address
- your date of birth.

In order to be able to prepare and/or perform the rental agreement with you, we need the following Personal Data from you (this data is also required):

- credit card and other payment details;
- e-mail address; and
- driving licence details, to check your authorisation to drive.

Data regarding your usage

In order to provide you the Service, felyx needs to process Personal Data which is being generated by the usage of the vehicle you are renting. The following Personal Data will be forwarded to our central system:

- the identification number that we have assigned to a scooter;
- the battery charge level and the electricity consumption;
- the distance travelled (based on the odometer reading);
- the duration of travel (based on the elapsed time);
- data that identifies your peripherals, such as a MAC address, IP address, or other number; and
- vehicle status data (for example whether the vehicle is clean and intact).

Data that we receive from third parties or generate ourselves

There is also Personal Data relating to you that we receive from third parties, or that we generate ourselves on the basis of the data that you provide:

- Personal data relating to the validation and verification referred to in Section 3;
- Personal data relating to cookies utilised by us or third parties;
- Personal data that we link to certain patterns, such as a status in the profile that we draw up about you on the basis of your behaviour (for example: the frequency with which you rent a scooter) or surfing behaviour.

Communication data

Your requests or any complaints you may have and any other data that we receive if we communicate with you via email, telephone or otherwise.

Any other Personal Data

This includes any Personal Data that you disclose to us during the course of using our Services.

3. Purposes for processing Personal Data

We utilise the abovementioned categories of Personal Data for the below purposes and on a lawful basis. See below a complete list of purposes for processing and the relevant lawful basis.

Processing and purpose	Legal basis
Customer onboarding– To complete your registration, we store certain contact details such as full name, email address, phone number, and home address.	Preparation/performance of the Agreement
Customer driving license validation – In order for you to rent a scooter effectively, we need you to prove, in addition to registering, that you are authorised to drive. To verify that, we will ask you to share with us a copy of your driving license and a selfie.	Legitimate interest of felyx Statutory obligation
Provision our rental services – felyx processes Personal Data related to you in order to be able to provide you the rental services, as well as to manage your rides and reservations, such as, start location, end location, start time, end time, duration of your ride, distance travelled etc.	Preparation/performance of the agreement
Invoicing – felyx processes Personal Data related to you in order to invoice you for the used services, to calculate or determine fees or payments.	Preparation/performance of the agreement Legitimate interest of felyx Statutory obligation
Customer support Services– If you contact us with a question, report or complaint, we process your (user) name, the content of your message, and (possibly) contact details, and may take notes of the communication so as to help you as much as possible.	Legitimate interest of felyx Performance of the agreement Your consent

Marketing – Promotion and analysis of our Services and those of our affiliated partners, via e-mail, telephone, or online media. For electronic direct marketing to non-customers, we request prior approval. See also Section 7 for more information.	Your consent Legitimate interest of felyx or a third party
Data Security – We need to ensure that our Services (including the felyx App) are not misused, and we wish to protect the integrity of our information, services, and software. We therefore put organisational and technical measures in place. For example, you need a password to access the felyx App.	Legitimate interest of felyx or a third party
Legal – We can enforce our rights, for example in a lawsuit or (insurance) dispute or the purpose of establishment, exercise of defense of legal claims.	Legitimate interest of felyx Statutory obligation
Improve felyx Services - We mainly record your preferences and factual information about the frequency with which you rent, and where. felyx aims as much as possible to process such data only in aggregated and anonymized form. We do this in order to assist you and to improve our services.	Legitimate interest of felyx Your consent
Debt collection – felyx might process certain Personal Data related to you in order to collect any outstanding debts from you, with the support of our third party debt collection agencies.	Legitimate interest of felyx
Insurance claims – felyx might process certain Personal Data related to you in order to handle any insurance related claims with the support of our insurance provider.	Legitimate interest of felyx Your consent
Processing of internal and external fines (such as fines for parking or traffic fines) – felyx might process certain Personal Data related to you in case we need to process fines received by you as a result of using our scooters.	Legitimate interest of felyx Statutory obligation
Law enforcement requests and investigations – felyx might process certain Personal Data related to you in order to be able to respond to law enforcement requests and investigations. In order to ensure you privacy compliance, felyx ensure you are informed about such requests, unless felyx is explicitly prohibited from doing so. Also felyx ensures, to the extent allowed to minimize the data shared in order to comply with law enforcement requests and investigations.	Legitimate interest of felyx Statutory obligation

In case felyx will decide to process Personal Data for other purposes than for preparing the agreement, pursue legitimate interests or comply with a statutory obligation, such additional processing will only be based on your explicit consent.

Legitimate interests

The legitimate interests of felyx or a third party include:

- the promotion of products and Services provided by or under the trade name felyx;
- the security of (IT) systems, facilities and scooters, including the felyx App and the Website;
- prevention of fraud and crime through identification and verification of documents and devices;
- detecting and correcting errors in the rental process;
- monitoring and analysing the felyx App and the Website, including data analysis, testing, research and statistical purposes;

- sharing Personal Data with parties that assist felyx with its Services (for example lawyers, accountants, consultants);
- commercial purposes (such as the sale of business operations or shares);
- taking action (in court or otherwise) against a felyx renter who is in arrears with payment or has committed unlawful acts or traffic offences;
- improving customer support and the provision of services;

4. Driving license validation

In order to be able to provide the Services, we need to make sure the customer has a valid driving license. In order to ensure the authentication of the customer and the validity of the driving license, felyx intends to ask the customers to share a self – made photo (hereinafter as “selfie”). The selfie is necessary to ensure the individual creating the account is the actual owner of the driving license. The selfie and the copies of the driving license will be provided by the customer by using their smartphone devices.

The selfie and the copy of the front and back of the driving license will be uploaded through the felyx app on the third party software engaged by felyx, where the comparison will occur. The aim of the comparison is to ensure the shared copy of the front and back of the driving license belongs to the individual sharing it with felyx, and therefore the individual registering for using felyx services. The selfie and the copy of the front and back of the driving license will only be stored in the software and only for as long as necessary for customer authentication and driving license validation, and in any case no longer than 2 weeks as of the date you have uploaded the copy of the driving license. felyx does not intend and will not at any point, unless obliged under applicable law or by court order, to copy/export the selfie and the copy of the front and back of the driving license in any of its internal systems.

There are three main purposes of felyx processing personal data through the means of biometric identification (hereinafter collectively as “the Purpose”).

- Customer authentication: in order to authenticate the customer attempting to register within the felyx app.
- Prevention of identity fraud: this measure is necessary in order to prevent identity fraud, thereby ensuring the individual sharing the copy of the driving license is its actual owner. According to felyx` s assessment and previous identity fraud incidents, felyx qualifies this as a compelling reason for such processing.
- Road traffic safety: as described in point 1 above, felyx offers shared mopeds. The use of shared mopeds is subject by law to possession of a valid driving license. In order to ensure road traffic safety, felyx must verify customers using felyx mopeds hold a valid driving license.

felyx does not use and does not intend to use the selfie and the copy of the driving license provided by you in any other manner and for any other purpose than the ones listed right above.

As we take your privacy seriously within felyx, we have undertaken reasonable technical and security measures to ensure we comply with your privacy rights as provided by the applicable laws. If you have any questions or would like to know more about the above processing activity, please contact our Data Protection Officer at dpo@felyx.com.

5. Disclosure of your Personal Data to third parties

We share your Personal Data with the following parties:

- **Data controllers within the felyx group:** Your Personal Data will be shared between the felyx group entities that may use your Personal Data as described in this Privacy Statement for internal administrative purposes, management purposes, analytical purposes and other business-related purposes. Your Personal Data will only be used by felyx group companies for marketing purposes if you have given your explicit consent thereto and/or where we have legitimate interest to do so. An overview of the locations felyx group entities has been provided in section 1 of this Privacy Statement.
- **Services providers and Processors:** we engage third party vendors to support and enable us to provide our Services, which may have access to your Personal Data, including:

- if the services of third parties (for example vehicle services) are utilized within the scope of the rental or registration relationship, felyx is entitled to pass on your Personal Data to the aforementioned third party, in so far as this is necessary to perform the agreement with you;
- any suppliers that provide us IT related services.
- any suppliers that provide payment related services.
- marketing and advertising companies that carry out marketing activities on our behalf;
- analytics and search engine providers that assist us in the improvement and optimisation of our website, such as Google Analytics.
- debt collection agency engaged by felyx to execute debt collection processes on felyx's behalf
- insurance companies and brokers – that provide customer insurance coverage to felyx and handle customer claims.

In providing the services to us, they will access, receive, maintain or otherwise process Personal Data on our behalf. In order to maintain adequate protection of your Personal Data, we have entered into contractual arrangements with these service providers. These contractual arrangements, ensure that any processing of Personal Data by the engaged service providers be conducted in accordance with our instructions and subject to our control.

- **Third parties in case of legal requirements:** we will disclose your Personal Data if disclosure is required by law or in the context of an investigation, regulatory requirement, judicial proceeding, court order or legal process served on us, or to protect the rights or safety of the website, us or our customers.
- **Any other third parties with your explicit consent:** we might also disclose your Personal Data any other third parties, where you have consented or requested that we do so.

6. International transfers of your Personal Data

For efficient provision of our Services, we might need to transfer Personal Data you provide to us to countries outside your country of residence. The laws of these countries may not provide the same level of protection to your Personal Data. However, we and the third parties we will use will therefore seek to ensure that all adequate safeguards are in place and that all applicable laws and regulations are complied with in connection with such transfer, in particular for Personal Data transferred to countries outside the European Economic Area (EEA).

More specifically, regarding Personal Data that is transferred to third parties outside the EEA, we enter into legally required agreements with these third parties, including standard contractual clauses as approved by the European Commission or other supervisory authority where required. If you would like to receive a list of third parties located outside of the EEA or a copy of any documentation showing the suitable safeguards that have been taken by us, please contact our DPO at dpo@felyx.com.

7. Your consent

In a number of cases we need your unambiguous consent before we can carry out a certain kind of processing with Personal Data (or have it carried out). If such consent is required, we will ask you for it. We need your consent, among other things, for the following processing operations:

- if data is placed or read on your device (phone, tablet, etc.) using the felyx App and that is not necessary for technical operation of the felyx App;
- processing the location of the device on which you have installed and are using the felyx App (phone, tablet, etc.) if that is not necessary for provision of our service;
- sending electronic direct marketing messages if you are not an existing customer of ours; and
- placing certain cookies and similar technologies on your peripherals (see Section 8).

To process location data, you will need to have "location facilities" enabled on your mobile device.

You can decide freely whether or not to give your consent. If you do give consent, you can withdraw it whenever you wish. The easiest way to do this may vary from one processing operation to another (for example via the felyx App, our

Website, or via the operating system of your peripherals).

8. Communication, including marketing and advertising

We will send you information by phone, e-mail, or post if that is necessary for performing the agreement, for example information about new conditions or changes in the provision of services. We may also contact you with marketing-related messages about our own or similar products or services, as well as with survey questions and other requests aimed at improving our services. If you do not wish to receive this kind of information, you can unsubscribe by withdrawing your consent within your preference sections within the felyx app, by unsubscribing by using the unsubscribe link within the marketing email you have received, by filling in [this form](#) or please contact our Data Protection Officer at dpo@felyx.com.

9. Cookies

felyx utilises cookies to analyse its Services and to conduct advertising and marketing activities. felyx utilises various types of cookies for this purpose. The use of some marketing-related cookies, such as tracking cookies, requires your prior consent,. You can withdraw your consent at any time. We have drawn up a separate [Cookies Policy](#) in which we explain how we utilise cookies and what that means for you.

10. Your rights

Subject to the conditions set out in the applicable laws, you have the following rights in regard to your Personal Data.

- Right to withdraw Consent (Art. 7 GDPR): If you wish to withdraw your consent, for the instances when your Personal Data is processed based on your consent.
- Right to access your information (Art. 15 GDPR): You can request information about the data that we hold about you at any time. This information includes, but is not limited to, the categories of data we process, for which purposes we process them, the source of the data if we have not collected it directly from you, and, if applicable, the recipients to whom we have submitted your information.
- Right to correction (Art. 16 GDPR): You can request felyx to correct your data. We will take reasonable steps to keep the information we hold about you and process on an ongoing basis, accurate, complete, current, and relevant, based on the most up-to-date information available to us.
- Right to deletion (Art. 17 GDPR): You can ask that your data be deleted, if the legal prerequisites exist. This may be the case under Art. 17 GDPR if:
 - The data is no longer required for the purposes for which it was collected or otherwise processed.
 - You revoke your consent, which is the basis of the data processing and there is no other legal basis for processing.
 - You object to the processing of your data and there is no legitimate reason for the processing, or object to data processing for direct marketing purposes.
 - The data was processed unlawfully, unless processing is required:
 - To ensure compliance with a legal obligation that requires us to process your data;
 - To comply with statutory retention periods; or
 - To assert, exercise or defend legal claims.
- Right to restriction of processing (Art. 18 GDPR): You may demand that we restrict the processing of your data if:
 - You deny the accuracy of the data. Data will be restricted from further processing for the time period we need to verify the accuracy of the data;
 - The processing is unlawful and you refuse the deletion of your data. Instead you demand the restriction of use;
 - We no longer need your information, but you need it to enforce, exercise or defend your rights;

- You have objected to the processing, as long as it is not certain that our legitimate interest in processing of the data outweigh your personal rights.
- Right to data portability (Art. 20 GDPR): Upon your request, we will transfer your data - as far as is technically possible - to another party. However, you are only entitled to this right if the data processing is based on your consent or is required to carry out a contract. Instead of receiving a copy of your data, you may also ask us to submit the data directly to another party who you specify.
- Right to objection (Art. 21 GDPR): You may object to the processing of your data at any time for reasons that arise from your particular situation, if the data processing is based on your consent or on our legitimate interests or that of a third party. In this case, we will no longer process your data. The latter does not apply if we can prove compelling legitimate reasons for processing that outweigh your interests or we need your data to assert, exercise, or defend legal claims.

We will make sure to respond to your requests as prescribed under the applicable laws. We will make every effort to comply with all requests within 30 days. However, this period may be extended for reasons relating to the specific right or complexity of your request.

Please note however, that we might not be able to always fully comply with your request as we need to retain certain Personal Data in order to comply with legal obligations, for establishment, exercise or defense of legal claims or to complete any transactions that you have begun prior to requesting a change or deletion.

felyx takes your concerns and rights very seriously. However, if you believe that we have not adequately complied with your complaints or concerns, you have the right to lodge a complaint with a competent data protection authority in the country where you have used our Services.

11. Security and retention period

We will take reasonable steps to ensure that your Personal Data is collected and stored in a secure manner by using the appropriate technical, physical and organizational measures to prevent unauthorized access, alteration, disclosure, loss.

We take the necessary steps to ensure that access to your Personal Data is provided on a strict need-to-know basis. Additionally, we contractually ensure that any third party processing your Personal Data commits to processing your Personal Data with the same degree of security, confidentiality and integrity.

We retain your Personal Data as long as required to achieve the purpose for which it was collected and used, unless a longer period is necessary in order for us to be able to comply with our legal obligations or to establish, exercise or defend a legal claims that might arise in respect of the Services.

If you would like to exercise any of the privacy rights listed above, you may do so by filling in [this form](#) or by contacting felyx Data Protection Officer at dpo@felyx.com.

12. Amendments to this Privacy Statement

This Privacy Statement may be revised from time to time. The new modified or amended Privacy Statement will apply from that revision date. Therefore, we encourage you to periodically review this Privacy Statement to be informed about how we are protecting your Personal Data.

13. Contact us

If you have any questions about this Privacy Statement or regarding how we use your Personal Data in general, or if you want to exercise your rights, please contact our DPO at dpo@felyx.com. Please make sure you indicate the nature of your query.