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## PRIVACY NOTICE PURSUANT TO ARTICLE 13 OF EU REGULATION 2016/679 ("GDPR") FOR THE USERS OF MyAtlante APP

**Atlante S.r.l.**, a sole shareholder Italian limited liability company, with registered office at Piazzale Lodi 3, 20137 Milan, ("**Atlante**"), is constantly striving to protect the privacy of the users of MyAtlante App (the "**App**"). This document ("**Information Notice**") has been prepared to allow you to understand how your personal data (the "**Personal Data**") will be processed while using the App.

In general, any information or Personal Data that you provide to Atlante through the use of the App will be processed according to the principles, internationally recognized, of lawfulness, correctness, transparency, limitation of purposes and storage, minimization of data, accuracy, integrity and confidentiality, as required by Regulation (EU) 2016/679 (hereinafter "**GDPR**") and, in general, by the applicable legislation.

### Data Controller and Data Protection Officer



Atlante, as identified at the beginning of the Notice, is the data controller for the Personal Data processed during the use of the App.

You can contact Atlante by writing:

- by post, to the address of the registered office mentioned above;
- by e-mail to: [privacy@atlante.energy](mailto:privacy@atlante.energy).

Atlante, in its capacity as Data Controller, has appointed a Data Protection Officer ('**DPO**'), who is at your disposal for any information on matters relating to the processing of your personal data and the exercise of your rights as a data subject. The DPO can be contacted at the following e-mail address: [dpo@atlante.energy](mailto:dpo@atlante.energy).

### Personal Data processed



While using the App, we inform you that Atlante will process information about you, which may consist of an identifier such as name, an identification number, an online identifier (hereinafter only "**Personal Data**").

Your Personal Data may be collected either because you voluntarily provide it (e.g. when you download the App and create your profile) or by simply analyzing your behavior on the App.

The Personal Data processed are as follows:

- Personal data (for example, first name, surname, etc.).
- Contact (for example, email address, residence address).
- Identification (for example, license plate number, vehicle model).
- Payment (for example, transactions made by electronic means of payment, credit/debit card number, etc.).
- Economic and contractual (for example, information about the services chosen when using the App).

- Navigation data. The computer systems and software procedures responsible for the operation of the App acquire some personal data whose transmission is implicit in the use of Internet domain names of the computers used by users connecting to the App, the addresses in URI notation, the resources required, the time of the request, the method used in submitting the request to the server, the size of the file obtained in response, the numeric code indicating the status of the response given by the server and other parameters related to the operating system, the model of device used and the computer environment of the user. This data is used for the sole purpose of obtaining anonymous statistical information on the use of the App to check its correct functioning, to identify anomalies and/or abuses, and is deleted immediately after processing. The data may be used to ascertain liability in case of hypothetical computer crimes against the App or third parties.
- Data provided voluntarily by you. In some sections of the App it is possible to fill in some fields, freely providing information to Atlante. We encourage you not to provide information that may fall within the "particular categories" of personal data referred to in art. 9 of the GDPR (for example, data related to your health status).
- Geolocation. The App, with your express permission, processes your location data in order to provide you with the service, as described in the App's Terms and Conditions of Use. For example, tracking your location is necessary to show you which charging stations are closest to you. As a user you always have the option to deny the App access to your location data through your mobile device settings.
- Nickname of your myAtlante account.

### Purposes of the processing activities



Atlante will use your Personal Data, collected through the use of the App, for the following purposes:

- Allow you to use the App and provide the various services offered, including sending you information and instructions on the features of the services and how to use them – particularly when you first activate the App – or, in any event, sending you communications relating to the management of the contractual relationship between you and Atlante (for example, notifications of successful payment for top-up services), as well as managing activities related to the use of the App and providing you with any further assistance you may require ("**Provision of services**");
- Comply with legal obligations that require Atlante to collect and/or further process certain types of Personal Data ("**Compliance**");
- Prevent any fraud committed through the use of the App, as well as protect the rights, properties or security of Atlante, our affiliates, our business partners, employees or customers, for example both in the out-of-court and judicial stages, both for internal investigations and/or competent authorities ("**Abuse/Fraud**").
- For the improvement of the services offered, as well as for classification activities, consisting in the simple extraction from the database of the Holder of macro-categories of interested parties

carried out by queries to partition the raw data in the database (for example, age group, gender, area of residence, nationality), without further processing consisting of profiling activities such as, for example, the development of conclusions on personal aspects relating to a data subject, such as buying preferences, interests, tastes and habits, online behaviour, location or travel ("**Classification by strategic orientation and business intelligence**");

- send to your e-mail address commercial communications relating to services similar to those already purchased (e.g. loyalty programmes linked to top-up services similar to those already purchased). Each mailing will allow you to opt-out of further mailings through the unsubscribe link at the bottom of the e-mail ("**Soft Opt-In**");
- carry out marketing activities through the sending of newsletters and promotional communications (including market research and analysis) by Atlante by means of automated tools (e-mail, SMS, push notification, unmanned call systems, instant messaging) and traditional tools (paper mail, telephone with operator) ("**Marketing**" - a purpose reserved to those interested parties who have given their express consent);
- subject to your express consent and only with regard to natural persons, Personal Data may be processed to analyse your habits and choices in order to personalise promotional communications or to carry out surveys and in-depth investigations ("**Profiling**" - a purpose reserved for data subjects who have given their express consent);
- With your explicit consent - collected during registration to the App, or through the appropriate section in the settings - to geolocate you in order to access some of the services of the App that require your location ("**Geolocation**");
- allow you to take advantage of promotions associated with our Loyalty Program, through the use of promotional codes within the myAtlante app and/or the collection and conversion of "loyalty points" ("**Loyalty Program**").

## Legal Bases



The legal bases used by Atlante to process your Personal Data, according to the purposes indicated in the previous Paragraph, are the following:

- **Provision of services:** the processing for this purpose is necessary to provide you with the services offered through the App, therefore, also to comply with your requests and as necessary for the execution of the contract or pre-contractual measures in place with you pursuant to art. 6, par. 1, lett. b) of the GDPR. The provision of your Personal Data to Atlante for this purpose is not mandatory, but otherwise it will not be possible for Atlante to provide you with services.
- **Compliance:** the processing for this purpose is necessary for Atlante to comply with any legal obligations pursuant to art. 6, par. 1, lett. c) of the GDPR. When you provide Personal Data to Atlante, it will be

processed in accordance with applicable law, which may result in their storage and disclosure to the Authorities for accounting, tax or other obligations.

- **Abuse/Fraud:** the information collected for these purposes will be used by Atlante exclusively to protect its interests out of court and/or judicial, as well as to prevent and/or detect any fraudulent activity or abuse in the context of the use of the App, as legitimate interest of the owner pursuant to art. 6, par. 1, lett. f) of the GDPR.
- **Classification by strategic orientation and business intelligence:** the processing for this purpose will take place exclusively on the basis of a legitimate interest of the Data Controller, pursuant to art. 6, par. 1, lett. f) of the GDPR.
- **Soft Opt-In:** the processing for this purpose is based on the legitimate interest of the Data Controller, pursuant to Article 6(1)(f) of the GDPR, consisting in sending communications concerning services similar to those purchased by you.
- **Marketing:** the legal basis for the processing of Personal Data for this purpose is the express consent of the data subject, pursuant to Article 6(1)(a) of the GDPR. The provision of your Personal Data for this purpose is optional, however should you decide not to give your consent to marketing, this would prevent us from involving you in our promotional initiatives, such as periodic updates through the newsletter service.
- **Profiling:** the legal basis for the processing of Personal Data for this purpose is your express consent, pursuant to Article 6(1)(a) of the GDPR. The provision of your Personal Data for this purpose is optional, however, should you decide not to give your consent to profiling, this would prevent us from analysing your habits and choices in order to personalise promotional communications or to carry out surveys and in-depth analyses.
- **Geolocation:** the processing for this purpose will take place only with your explicit consent, pursuant to art. 6, par. 1, lett. a) of the GDPR. We also inform you that you have the right to withdraw your consent at any time through the settings of the App and your device. Any withdrawal of consent will not affect the lawfulness of the processing carried out by Atlante until the moment of such revocation. The provision of your consent is free, but in the absence it will not be possible to access certain services of the App that require access to your location.

- **Loyalty Program:** processing for this purpose is necessary to provide you with services, therefore, also to follow up on your requests and as necessary for the performance of the contract or pre-contractual measures in place with you pursuant to Article 6, paragraph 1, letter b) of the GDPR. The provision of your Personal Data to Atlante for this purpose is not mandatory, but if you do not provide it, Atlante will not be able to provide you with services and/or respond to your requests.

### Categories of data recipients



Your Personal Data may be shared with the following subjects (the "Recipients"):

- Subjects that typically act as data processors such as:
  - persons, companies or professional firms providing assistance and advice to Atlante in accounting, administrative, legal, tax, financial and debt collection matters;
  - subjects with whom it is necessary to interact for the management of Atlante activities (for example hosting providers or providers of platforms for sending mail);
  - subjects delegated to perform technical maintenance activities (including the maintenance of computer systems and the App);
- Persons authorised by Atlante to process Personal Data necessary to carry out activities strictly related to its business and the provision of services, who have committed to confidentiality or have an adequate legal obligation of confidentiality (e.g. employees of Atlante);
- Payment service providers for the charging sessions performed.
- NHOA Group companies for internal administrative purposes;
- Subjects, entities or authorities to whom it is mandatory to communicate your Personal Data for purposes of Compliance, Abuse or Fraud, or for orders from authorities.

### Transfers of Personal Data



Atlante does not intend to transfer Personal Data to recipients located in countries outside the European Economic Area or international organisations. If this happens, Atlante will ensure that such transfer complies with the legislation on the protection of personal data, as interpreted by the Court of Justice of the European Union and taking into account the recommendations of the European Data Protection Committee.

### Personal Data Retention



The Personal Data processed for the purpose of **providing services** will be kept by Atlante for the time strictly necessary for the pursuit of the aforementioned purpose. In any case, Atlante may keep them for a longer period, in particular as may be necessary in order to protect the interests of Atlante from possible responsibilities relating to the compliance of the services offered.

The Personal Data processed for the purposes of **Compliance** will be kept by Atlante for the period provided for by specific legal obligations or by the applicable legislation.

The Personal Data processed in order to prevent **Abuse/ Fraud** will be kept by Atlante for the time strictly necessary for this purpose and therefore until the time when Atlante will be required to store them to protect itself out of court or court or to communicate said data to the competent authorities.

The Personal Data processed for the purpose of **Classification for strategic orientation and business intelligence** will be stored for 12 (twelve) months from the collection, subject to any revocation of consent or opposition to processing if prior to the expiry of this period.

Personal Data processed for **Soft Opt-In** purposes will be kept for 5 (five) years after the last purchase.

Personal Data (e.g. promotional e-mails) processed for **Marketing** purposes will be kept for 24 (twenty-four) months, subject to revocation of consent or objection to processing.

Personal Data processed for **Profiling** purposes will be stored with a temporal history of 12 (twelve) months, subject to revocation of consent or objection to processing.

With reference to the Personal Data processed for the purpose of **Geolocation**, the data relating to your location will be processed until revocation of the consent expressed by you pursuant to art. 7 of the GDPR.

Personal Data processed in relation to the **Loyalty Program** will be retained by Atlante for the time strictly necessary to pursue the aforementioned purpose. In any case, Atlante may retain them for a longer period, in particular for as long as may be necessary to protect Atlante's interests from possible liabilities relating to the compliance of the services offered.

At the end of the retention period, in accordance with the principle of retention limitation, we delete Personal Data so as to ensure that it cannot be reconstructed or read.

## Data Subject's Rights



You have the right to ask Atlante, at any time and in the presence of the relevant legal requirements:

- Access to your Personal Data (and/or a copy of such Personal Data), as well as additional information about the processing ongoing on them;

- The rectification or updating of your Personal Data processed by Atlante, if they are incomplete or outdated;
- The deletion of your Personal Data from the databases of Atlante, where you consider the processing unnecessary or illegitimate;
- Restriction of the processing of your Personal Data by Atlante, if you believe that your Personal Data is incorrect, necessary or unlawfully processed, or if you were opposed to their processing;
- To exercise your right to data portability, that is to obtain in a structured, commonly used and machine-readable format a copy of the Personal Data provided to Atlante concerning you, or to request the transmission to another Data Controller;
- To object to the processing of your Personal Data, using a legal basis relating to your particular situation, which you believe should prevent Atlante from processing your Personal Data.
- Withdraw your consent to the processing of your Personal Data for any of the purposes for which it was provided.



You can exercise these rights by writing to Atlante at the following address: [privacy@atlante.energy](mailto:privacy@atlante.energy).

In any case, you always have the right to lodge a complaint with the competent Supervisory Authority (Garante per la Protezione dei Dati Personali) or appeal to the Judicial Authority if you believe that the processing of your Personal Data is contrary to current legislation.

#### Licence

The icons in this notice have been developed by the *Maastricht European Centre on Privacy and Cybersecurity - ECPC*, whose graphic design was one of the winners of the "Informative Clarity" contest promoted by the Italian Data Protection Authority ("Garante per la Protezione dei Dati Personali"). Use of the icons is subject to the terms of the CC BY 4.0 licence.