

## Privacy statement for using Stock Performer

Last amended: May 2016

Stock Performer GbR ("we") operates the Stock Performer internet service. We will use and process the personal data generated by visiting our website and using Stock Performer as follows:

### § 1 Scope of application; responsibility for data privacy

(1) This Data Privacy Statement governs how the personal data of registered users and visitors to our website is used.

(2) Responsibility for data processing lies with

Stock Performer GbR  
Oliver Rivo & Luis Alvarez  
Torstraße 23  
10119 Berlin

Further information and contact details can be found under Legal Notices on [www.stockperformer.com/pages/company](http://www.stockperformer.com/pages/company).

### § 2 Visiting the Stock Performer website

(1) You can visit the website without disclosing personal data.

(2) We do not use any social plug-ins. If you visit our website no data will be transferred between your computer and social networks such as Facebook and Twitter. The Facebook and Twitter buttons on our website are links to our company websites on Facebook and Twitter.

(3) The following data will be saved to set up and maintain the internet connection between the visitor's computer and our server computer: date and time the page was accessed, length of visit, browser type and domain.

(4) A cookie is set for statistical purposes and to optimize the design and technical features of the website whenever anyone visits the website. Cookies are small text files which are saved in the visitor's browser and which are then sent whenever that visitor visits our website. You can set your browser to stop cookies being set automatically but this may adversely affect the functionality of the website. Cookies are saved for three months.

(5) Another cookie is set for the purpose of registration and identifying registered users. This is saved for three months. If you do not accept this cookie you will not be able to use the Stock Performer Service.

### § 3 Registration with Stock Performer

(1) You cannot use our Service without registering regardless of whether you want to sign up for the free trial or for a pay-subscription.

(2) At registration the following data is collected and saved: date of regis-

tration, email address, password and user name. The user name can be a pseudonym. The Customer can alter this data at any time.

(3) We process personal data for managing and fulfilling the contractual relationship, in particular to enable customers to use the Service. This data is also used, if necessary, to contact customers about their contracts.

### § 4 Use of data in using Stock Performer

(1) We can only provide the Service if the Customer provides us with certain data on the media which are sold by the supported agencies for which statistics are to be compiled. This includes:

- (a) Customer's user name with the agencies concerned
- (b) Features of images such as name, key words, descriptions, size of image, image category, file ID (special number assigned to the image by the agency), collection to which image belongs, if applicable
- (c) Sales data: when was what image sold, for what price, type of license; type of customer, purchase model, sales figures

(2) Stock Performer supplements this data, if applicable, providing publicly accessible information provided on the agency's website such as preview pictures, keywords, descriptions, search ranking.

(3) With the exception of the file ID this data is deleted one month after you terminate your account or after your Free Trial has ended. This does not apply to user data which we receive directly from agencies as part of a collaboration arrangement.

(4) The file ID is saved permanently to prevent the Free Trial being used under a different user name (upload ID and agency ID).

(5) For statistical purposes and optimizing technical features of the Service we keep a record the time of your last login, the date and time of the last data transfer and other information on use such as when you last read the internal newsletter and what feedback it provided.

(6) In order to remedy sources of error we save any error messages which Stock Performer website users have received and forwarded to us for a maximum of three months.

(7) We need data on the type of account, name and address of user, date of payment and period for which the payment is made in order to process payments for the Service. We are required by law to keep such information for a certain period. After that period has ended we delete the data.

(8) We do not collect any information on our users' bank details or credit card data. This is collected by Wirecard Technologies AG and used for

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processing payments. Any payment data processing by Wirecard will be in compliance with the Payment Card Industry Data Security Standard (PCI DSS). Wirecard is PCI DSS-certified.

(9) Under the Market Performance Program we process anonymized sales data of the Customer. We take adequate precautions to ensure that the respective Customer cannot be identified. If the user withdraws from the Market Performance Program by exercising the opt-out option any sales data generated thereafter will not be processed under the Market Performance Program.

## § 5 Affiliate Program

Under our Affiliate Program users can register with Stock Performer via links from third-party websites. Clicking on the link sets a temporary cookie which allows us to allocate registrations to the respective Affiliate partner.

§ 6 Disclosure to third parties

Personal data will be disclosed to third parties to the extent necessary for technical operation of the Service we offer and for administrative and accounting purposes. Other than that, personal data will only be disclosed to third parties to the extent that this is essential to provide the agreed services or to enforce claims or because we have a statutory requirement to do so or because we have been ordered to do so by a court of law or in response to enquiries from official sources, including without limitation criminal prosecution and regulatory authorities, to the extent necessary to avert risks to public safety and order and to prosecute criminal offences.

## § 7 Data security

(1) All data transmitted between the user's browser and Stock Performer's servers are SSL-encrypted (2048 Bits, Thawte/VeriSign certificate).

(2) We safeguard our websites and other systems by taking the necessary technical and organizational precautions to prevent loss, destruction, access, alteration and disclosure of user data by unauthorized persons.

## § 8 Newsletter

(1) To subscribe to our email newsletter users must provide their name and an email address. They must also consent to receiving the regular newsletter and to the data which they have provided for this purpose being processed. As well as current information on the Service we provide, the newsletter may contain general information on selling digital media.

(2) The user can withdraw consent with future effect. Users can unsubscribe from the newsletter at any time as described in the newsletter, by email or by exercising the relevant option in the user account settings.

(3) Once the user has unsubscribed, Stock Performer will delete any user data saved when the user subscribed to the newsletter.

## § 9 User's rights

(1) Users who have consented to their personal data being collected, saved and used can revoke such consent at any time with future effect. Revocation can be emailed to [privacy@stockperformer.com](mailto:privacy@stockperformer.com). The effects of revocation are limited to the saving and use of personal data where such saving and use without the user's consent is not already permitted by statute.

(2) We will provide the user with information on what personal data we have saved on request free of charge and at any time. The user must also permit us to correct, block or delete personal data at any time. Data which we require in order to perform outstanding tasks or to enforce existing rights and claims and data which we are required by statute to archive may not be deleted. However, such data will be blocked.

## § 10 Data protection contact

Please address any questions on how personal data is used, on information pursuant to § 9 of this Data Privacy Statement, requests for personal data to be corrected, blocked or deleted or for revocation of consent by sending an email to [privacy@stockperformer.com](mailto:privacy@stockperformer.com).

The Data Privacy Statement can be viewed at [www.stockperformer.com/pages/privacy](http://www.stockperformer.com/pages/privacy) at any time. It complements Stock Performer's General Terms and Conditions of Business (GTCs). These can be retrieved from [www.stockperformer.com/pages/termservice](http://www.stockperformer.com/pages/termservice).