

1. **GENERAL**

- 1.1. **Content.** This document is addressed to all persons we evaluate, contact and potentially encourage to submit an application (“**potential Candidates**”) or/and who have submitted an application (“**Candidates**”) to work for Runtastic GmbH (“**Runtastic**”, “**we**”, “**us**”). It is intended to inform such people about the processing of their personal information in connection with their recruitment with Runtastic and in the area of responsibility of Runtastic in general. Please note that the processing of personal information related to the use of Runtastic products and services is not subject to this Privacy Notice. Corresponding information can be found in a separate [privacy notice](#).
- 1.2. **Controller.** For the processing of personal information pursuant this privacy notice
- Runtastic GmbH
Pluskaufstraße 7, Business Center
4061 Pasching/Linz
Austria
- is the so-called Controller, i.e. the one responsible in regards to data privacy.
- 1.3. **Applicable Law.** The processing of your personal information takes place in compliance with applicable local data privacy laws, e.g. the EU General Data Protection Regulation (“**GDPR**”) or the Austrian data protection act in its current form.
- 1.4. **Contact.** Our internal point of contact for all questions, requests or concerns in regard to the processing of personal information is the email address: privacysupport@runtastic.com (“**the Email Address**”). In addition, you can also contact us by mail at the abovementioned postal address, to the attention of the Data Protection Officer.
- 1.5. **Data Protection Officer.** Runtastic has appointed a Data Protection Officer (“**DPO**”). Our DPO can be contacted under the Email Address. Should you have any questions regarding the processing of your personal information, please do not hesitate to contact them.

2. **CATEGORIES OF PERSONAL INFORMATION WE PROCESS**

- 2.1. **Source of Personal Information.** We process information about you that we have collected **directly from you** (e.g. your CV), that **we create** (e.g. performance scores), and that we **get from third parties** (e.g. LinkedIn). Please note that the exact amount of personal information we process regarding you depends on our individual relationship with you and how far you get in the recruiting process. Therefore, we may not process personal information concerning you in all categories mentioned below.

- 2.2. Personal Information Processed. Which personal information concerning you we process to what extent always depends on the individual case. Usually, however, this concludes at least the following categories:

Identity Information - Any information that identifies you as an individual living person, including but not limited to: name (first name, last name, initials), date of birth, e-mail address, gender and nickname.

Contact Information - Any information that can be used to contact you, including but not limited to: phone number, address, e-mail address, Messenger ID, or any other communication channel you have used to contact us.

Qualifications - Any information regarding your qualifications you share with us during the recruitment process or that we otherwise gather through e.g. assessments. This may include your skills, experience, employment history and other information contained in your application form and CV or through interviews and other forms of assessment.

Correspondence - Any information you share through correspondence you have with us including any opinion you share with us that indicates your point of view and comments. During the searching and recruitment process, we may collect further candidate-related information, such as information about your previous work experience, your work preferences and your salary expectations.

Location Information - Any information we can use to know or guess where you are, real time or otherwise, including but not limited to: residential location or other information that helps us guess or know where you are or may be.

Images - Any image - no matter if photo or video - of your person that you provide e.g. as a picture in your CV.

3. **PURPOSES & LEGAL BASIS OF PROCESSING OF PERSONAL INFORMATION**

- 3.1. General Information. In general, we collect and use personal information for specific purposes. However, please note that we may sometimes also use such personal information for other purposes if we have the right and permission (“**legal basis**”) to do so.

In this section, we provide details to all scenarios and reasons (“**purposes**”) where we may collect (directly and indirectly) and otherwise process your personal information. We will provide information on the legal basis of these processing activities, on what categories of personal information are affected and on categories of third parties that we share data with for the respective purpose.

- 3.2. Talent sourcing. We process personal information of potential Candidates in order to determine whether they might fit vacancies and if so, encourage them to apply for a position with Runtastic. This includes searching for candidates in professional networks such as LinkedIn, collecting and evaluating Identity Information, Contact Information, Qualifications and Location Information, and corresponding with the potential Candidates.

The legal basis for these processing activities is our legitimate interest to fill the existing vacancies. An overriding conflicting interest of the potential candidates is not evident, in particular because they provide the relevant personal data themselves in the networks existing for this purpose.

The data categories processed for this purpose are Identity Information, Contact Information, Qualifications, Location Information, Correspondence and Images.

For this purpose, we share personal information with Processors, in this case with our Cloud Solution Provider and our Messaging Solution Providers.

- 3.3. Communication. We process personal information in order to communicate with you regarding the recruitment process.

The legal basis for these processing activities is taking the steps necessary to - potentially - enter into a contract with you.

The data categories processed for this purpose are Identity Information, Contact Information, Correspondence and Location Information.

For this purpose, we share personal information with Processors, in this case with our Application Tracking Software, our Cloud Solution Provider, and our Messaging Solution Providers.

- 3.4. Searching and Recruiting. We process personal information in order to select the applicant best suited for a particular job. This includes all data processing activities necessary to enable you to take part in interviews and other assessments.

The legal basis for these processing activities is taking the steps necessary to - potentially - enter into a contract with you.

The data categories processed for this purpose are Identity Information, Contact Information, Qualifications, Location Information, Correspondence and Images.

For this purpose, we share personal information with Processors, in this case with our Application Tracking Software, our Cloud Solution Provider, and our Messaging Solution Providers.

- 3.5. Establishing a talent pool. We process personal information of unsuccessful Candidates in order to establish a talent pool. This involves storing your personal data in our Application Tracking Software.

The legal basis for these processing activities is your consent. You are free to revoke such a consent for the future anytime without giving any reason.

The data categories processed for this purpose are Identity Information, Contact Information, Qualifications, Location Information, Correspondence and Images.

For this purpose, we share personal information with Processors, in this case with our Application Tracking Software. If we have your explicit consent to do so, we also share such data with other companies in the adidas Group of Companies.

- 3.6. Improvement of our Processes. We process your personal information for us to be able to improve our searching and recruitment process, in regard to user experience and technical security.

The legal basis for these processing activities is our legitimate interest to develop as a company. You can object to the processing of your personal data for this purpose at any time.

The data categories processed for this purpose are Identity Information, Contact Information, Qualifications, Location Information, Correspondence and Images.

For this purpose, we share personal information with Processors, in this case with our Application Tracking Software, our Cloud Solution Provider, and our Messaging Solution Providers.

- 3.7. Cooperation with Law Enforcement and Regulatory Authorities (Including Courts). When we are legally required to provide your personal information for national and public security reasons, crime prevention, investigation and prosecution, anti-money laundering, judicial proceedings, protection of other individuals' rights and freedoms, and enforcement of civil claims, we will provide information as requested by the authorities or parties once we are satisfied that the request is mandated by law. We may not be able to notify you if it is against the law to do so.

The legal basis for these processing activities is our respective legal obligation, the necessity in order to protect the vital interests of other people or the necessity for the public interest.

The data categories processed for this purpose depend on the specific request/obligation and might include all categories of personal information we process. Anyhow, we will

always limit the amount of personal information processed for this purpose to the smallest amount possible.

For this purpose, we share personal information with authorities, including courts and with Processors, in this case with our Messaging Service Providers.

- 3.8. Evidence - Contract Dispute and/or Legal Compliance. We need to keep evidence in case of any contractual dispute, or to defend ourselves in case of any investigatory audits or privacy compliance disputes and complaints, including how we have handled your privacy rights. We may also keep your data in order to defend our position in the event of claims being raised under the Austrian Equal Treatment Act (“Gleichbehandlungsgesetz”). Besides that, we might also have to process certain information which might include personal information to comply with statutory retention periods.

The legal basis for these processing activities is our respective legal obligation or our legitimate interest.

The data categories processed for this purpose depend on the specific obligation and situation and might include all categories of personal information we process. Anyhow, we will always limit the amount of personal information processed for this purpose to the smallest amount possible.

For this purpose, we share personal information with authorities, including courts, our lawyers and tax advisors and Processors, in this case with our Application Tracking Software, our Cloud Solution Provider, and our Messaging Solution Providers.

4. SHARING OF PERSONAL INFORMATION - THIRD PARTY INVOLVEMENT

- 4.1. General. We share your personal information with third parties

- if this is necessary, for the purposes listed above,
- if you have instructed us to do so,
- to exercise or protect the rights and safety of Runtastic, our users and personnel, or
- if you have (explicitly) consented beforehand.

We distinguish between the following categories of third parties we share your personal information processed pursuant this Privacy Notice with:

- Processors,
- authorities including courts,
- lawyers and tax advisors and
- other companies in the adidas Group of Companies.

- 4.2. Sharing of personal information with processors. In order to facilitate our recruiting processes, we rely on third party service providers, such as hosting or email providers. These service providers may have access to a selection of your personal information but

may only process it for our purposes and according to our instructions. They act as so-called processors for Runtastic. You can find a list of all processors in Annex 1 to this Privacy Notice.

- 4.3. Sharing of personal information with authorities and lawyers and tax advisors. We share personal information with authorities including courts and lawyers and tax advisors where this is necessary for the purposes listed above. However, we check each individual case with the utmost care and will never treat your personal information carelessly.
- 4.4. Sharing of personal information with other companies of the adidas group of companies. In order to fill positions within the adidas group in the best possible way, to make the best use of resources and to find suitable positions for candidates, we might share personal information with other companies in the adidas group with your express consent. You may find the list of all adidas entities [here](#).
- 4.5. Transfer of personal information to outside the EU/EEA/CH. We only share your personal information with third parties outside the EU, EEA and Switzerland if (i) the third party is located in a country that provides an adequate level of data protection under Article 45 of the GDPR or if (ii) appropriate safeguards are in place to protect your personal information and your rights related thereto. Anyhow, please be aware that this does not apply to making your personal information available to our users or the public.
- 4.6. Recipients of personal data. A list of the (potential) recipients of your personal data as well as information about the data categories affected and the purpose of the respective data sharing is available in Annex 1.

5. DURATION OF PROCESSING

- 5.1. For the purpose of talent sourcing, we process your data for the duration of the examination whether you have a profile suitable for the vacancy and for the duration of our respective correspondence with you. If - after being contacted by us - you are not interested in applying for a position with Runtastic, we process your Identity Information and Contact Information for a period of up to 24 months to avoid contacting you again for the same or a similar position. You can object to the retention of your personal data for this purpose at any time, however, that may lead to us contacting you again about our vacancies.
- 5.2. For the purpose of defending our position in the event of claims being raised regarding your recruiting process, we process your data for the duration of the application process and for a period of up to 12 months after a position has been filled.

- 5.3. For the purpose of establishing a talent pool, we process your data as long as we have your consent to do so. 12 months after the position you applied for has been filled, we will either ask you to renew your respective consent or delete your data.
- 5.4. If your application process is successful and results in you being employed by us, we will store your data for the period of your employment with us in accordance with our Privacy Notice for Employees.

6. YOUR RIGHTS AS A DATA SUBJECT

- 6.1. General. Pursuant GDPR you as a data subject have various rights with regard to your personal information (“**privacy rights**”). These rights are listed in the sections below.
- 6.2. Revocation of Consent. You can revoke your consent – where consent for processing is necessary – for future processing of your personal information at any time. However, this does not affect the lawfulness of data processing based on the consent before the revocation. In certain cases, we may continue to process your personal information after you have withdrawn consent, if we have another legal basis to do so or if your withdrawal of consent was limited to certain processing activities.
- 6.3. Right to Access. You have the right to obtain (i) confirmation as to whether or not your personal information is being processed by us and, if so, (ii) more specific information on the processing. The more specific information concerns, among other things, processing purposes, categories of data, potential recipients, or the duration of storage.
- 6.4. Right to Rectification. You have the right to obtain the rectification of inaccurate data concerning you. In case the data processed by us is not correct, we will rectify these without undue delay and inform you of this rectification.
- 6.5. Right to Erasure. You have the right to delete or request us to delete personal information we store about you. Should you decide to do so, please contact us via the email address. Please note that we may be entitled or obligated to keep your personal information despite your request to erase it. We will evaluate this on a case-by-case basis and inform you accordingly.
- 6.6. Right to Restriction of Processing. You have the right to obtain a restriction of processing of your personal information from us in the following cases:
- the personal information is no longer necessary for the purpose they were collected or otherwise processed for;
 - you have withdrawn consent on which the processing is based and there is no other legal ground for the processing;
 - you have objected to the processing pursuant and there are no overriding legitimate grounds for the processing;

- the processing is unlawful;
- the personal information has to be erased for compliance with a legal obligation in European Union or Member State law to which Runtastic is subject to.

- 6.7. Right to Data Portability. You have the right to (i) receive a copy of your Data in a structured, commonly used and machine-readable format and (ii) transmit these data to another controller without hindrance from us.
- 6.8. Right to Object. You have the right to object at any time to the processing of data for which our legitimate interests are the legal basis, including profiling based on those provisions. You also have the right to object to processing of data for direct marketing purposes.
- 6.9. Right to File a Complaint. You have the right to file a complaint with your local supervisory authority, if you think that the processing of data infringes applicable law.

The Österreichische Datenschutzbehörde (Austrian Data Protection Authority) can be contacted as follows:

Mail: dsb@dsb.gv.at
Phone: +43 (0) 1 52152 2550
Postal-Address: Barichgasse 40-42, 1030 Wien, Austria
Web: <https://www.dsb.gv.at/kontakt>

- 6.10. Exercising your rights. In order to exercise our privacy rights please reach out to us via email to the Email Address or in written form to the above-mentioned postal address, indicating: for the attention of the DPO.

7. **DATA SECURITY**

We are committed to protecting your personal data and do implement appropriate technical and organizational security measures to protect it against any unauthorized or unlawful processing and against any accidental loss, destruction, or damage. We require our service providers to do the same through contractual agreements.

These security measures are constantly revised to comply with the latest technological developments. However, you should be aware that any transmission of your personal data through the internet is at your own risk. We can only protect your personal data once it reaches our area of responsibility.

8. **CHANGES TO THE PRIVACY NOTICE**

- 8.1. General. We review and update the Privacy Notice periodically to reflect any changes resulting from our day-to-day business operations. You can always check the date of the

Privacy Notice to find out when we last made any changes. We will notify you when we make significant changes that you must be aware of.

- 8.2. Last Updated. This Privacy Notice was last modified on 15 December 2022.

Annex 1: List of Data Processors

Third party	Data subjects concerned	Data categories concerned	Use-case / purpose of data exchange	Third party role	Location of processing
Applied Training Systems, Inc. 911 E Pike St. Suite 333 Seattle, WA-98122 USA	Candidates	Identity Information Salary Information Contact Information Qualifications Correspondence Location Information Images	Using the service provided by third-party for Recruiting organization and communication	Processor	USA
Slack Technologies, LLC 500 Howard Street San Francisco, CA 94105 USA	Candidates	Identity Information Contact Information Qualifications Correspondence Location Information Images	Using the service provided by third-party for Recruiting organization and communication	Processor	USA
Google Ireland Limited Gordon House Barrow Street Dublin 4 Ireland	Candidates	Identity Information Contact Information Qualifications Correspondence Location Information Images	Using the service provided by third-party for Recruiting organization and communication	Processor	EU