



sofatutor, Inc.

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# Privacy Policy

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## General Information

For the comprehensive use of sofatutor a user account is necessary. For this purpose, an email address and a password must be provided during registration and additional detailed personal information can be stored by us.

We do not permit children under the age of 13 to create user accounts and do not knowingly collect personally identifying information from children under the age of 13 without the consent and at the direction of a parent. The user account must be created by a parent. Several child profiles can be set up however in the user account, so that children may access the platforms under the parent's supervision.

**By creating a child profile associated with a parent account and permitting your child to use the sofatutor Service, you expressly agree to the practices described in this Privacy Policy and you consent to the collection, use, and disclosure of your child's personal information as described herein.**

Generally, we process personal data of visitors, interested parties, customers, and users (both parents and children) of our platforms (including, in particular, our learning platform at [www.sofatutor.us](http://www.sofatutor.us) and our mobile app) for the purpose of providing the online offers, their content and functions, the provision of contractual services, communication with users, for marketing, advertising, and market research, and for technical security measures. Depending on the type and extent of your use of the platforms, contact, contract, payment and usage data, as well as metadata regarding access to our platforms are processed.

If, in the course of our processing, we disclose data to external service providers, this will only be done if it is necessary for the fulfillment of our business purposes or where you have consented to it. Where data is disclosed for business purposes, we have special contracts in place that protect your data and guarantee that this external business does not use your data for any other purposes than providing its services to us.

We store your data for as long as you have an active business relationship with us. After termination of this business relationship, we retain the information of the contractual relationship required by commercial and tax law. Of course, we will also delete personal data at your request if we no longer need it for the fulfillment of the contract and we are not subject to any retention obligations.

## Security & Encryption

We take appropriate technical and organizational measures to ensure a level of protection appropriate to the risk, taking into account the state of the art, the costs of implementation and the nature, scope, circumstances and purposes of the processing, as well as the varying likelihood and severity of the risk to the rights and freedoms of natural persons. The measures include, in particular, safeguarding the confidentiality, integrity and availability of data by controlling physical access to the data, as well as access to, entry into, disclosure of, assurance of availability of and segregation of the data. Furthermore, we have established procedures to ensure the exercise of data subjects' rights, deletion of data and response to data compromise. We already take the protection of personal data into account during the development and selection of hardware, software and processes, in accordance with the principle of data protection through technology design and through data protection-friendly default settings. The security measures include in particular the encrypted transmission of data between your browser and our server.

We also use providers such as Stripe Payments Europe, Limited (Ireland) to prevent fraud and abuse as well as combat it. This involves collecting identifying information about the devices that connect to Stripe services and using it for fraud detection.

## Access Data & Hosting

Each time you access a website, your browser transmits the IP address assigned to you at that time, as well as other metadata relating to the access (e.g. browser and operating system used, date and time of access, page or file accessed). The processing of this data is absolutely necessary in order to make our platform available to you. The corresponding data is also stored by us due to our legitimate interest in monitoring and ensuring the functionality of our platforms, as well as the evaluation and optimization of our offers. However, a conclusion on your person is not possible for sofatutor due to a dynamic IP address.

For the operation of our online offers, we use infrastructure and platform services, computing capacity, storage space and database services, security services as well as technical maintenance services of our hosting service provider Amazon Web Services EMEA SARL (Luxembourg). In doing so, we, or our hosting provider, process contact data, content data, contract data, usage data, meta data and communication data of customers, interested parties and visitors of this online offer in order to provide our contractual service.

## Technical stability & error analysis

We use various third-party services to check, ensure and improve the technical stability of our platform. System and code errors are logged and meta and communication data (such as information about the operating system, end device and browser you are using) are processed and transmitted to the respective services. Data on the execution of the program code is also collected, in particular to analyze the loading times of individual page components. In the event of an error, the calling IP address, data on the settings (e.g. browser that is used) and details of the page on which the error occurred and the data entered there are transmitted in order to categorize and analyze the error. Our legitimate interest lies in the efficient rectification of errors and the trouble-free provision of our platform. The data is stored for a maximum of 90 days after the respective analysis and then aggregated/deleted.

These are the following services:

**Sentry**, a service of Functional Software, Inc. (USA), Privacy Policy is available [here](#)



**Bugsnap**, a service of SmartBear Software, Inc. (USA), Privacy Policy: <https://smartbear.com/privacy/>

**Scout**, a service of Zimuth, Inc. (USA), Privacy Policy: <https://scoutapm.com/privacy>

## Contract & Payment Data

When creating a subscription, we collect personal data such as your billing address and payment data for the fulfillment of the contractual relationship between you and sofatutor or for the implementation of pre-contractual measures and on the basis of our legitimate interest in the payment of the contractually agreed price and the assertion and defense of our rights.

When paying by credit card, our payment provider Stripe collects the data directly. sofatutor does not have direct access to the credit card data entered by you, but receives the credit card number shortened to the last four digits and the card verification number. Stripe uses the data transmitted to you on behalf of sofatutor to charge you.

When paying via Paypal or Amazon Pay, your email address and billing data will be transmitted to us after your corresponding authorization from Paypal or Amazon Pay. sofatutor does not have any access to your payment data stored at Paypal or Amazon Pay.

The transmission of payment data only takes place via encrypted connections.

## Usage Data, Videos & Exercises

When you use our platforms, we store various details about your usage behavior and learning activities, e.g. which videos you watch as a logged-in user, which exercises have been completed and what learning progress has been made. This data is used, among other things, to provide you with recommendations for videos, your most recently viewed videos and exercises, and similar functionality.

sofatutor has a legitimate interest in collecting the usage data of the platform and providing the aforementioned functionalities to our users. We also remunerate some of our video producers depending on how many users have viewed the videos of the respective producer, how many videos these users have otherwise viewed and what the respective user has paid for his subscription. To do this, we need to store the videos you have watched. In addition, we need this data in order to be able to track your use of our offer to prevent misuse, for example, through the unauthorized saving of videos.

Insofar as a user account has been linked to a learning group, such activities are also displayed within the user account that were collected in the course of interaction with the content assigned by a teacher. Thus, sofatutor also processes such usage data and can consequently be assigned to the user that was or is collected in the context of the learning groups at the instigation of the teacher. This is technically necessary to enable the linking of learning group and usage account and this ensures that uniform information regarding activities is displayed both in the learning group area and in the sofatutor profile.

## Communication & Support

We use various communication channels to be available for you or to get in touch with you. In particular, you can contact us by telephone, by e-mail or by chat via our website. In each case, the data you provide and, if applicable, your telephone number, email address or IP address are stored by us in order to be able to process your inquiries.

We use the Helpscout service from Help Scout PBC (USA) to process your inquiries by e-mail and to map our FAQ page. We can use an AI-based assistance tool from Helpscout to help us answer your inquiries. Every response generated is checked by our employees before it is sent to you. No automated decision-making takes place.

Our telephone system for handling customer inquiries is operated via the service Aircall SAS (France). When you contact us or we contact you by phone, your phone number is recognised by Aircall and linked to Helpscout through an integration so that our staff can see the communication history.

In addition, we offer a personal introduction to our website. For this, you can make an appointment by providing the necessary information such as name, email address, telephone number, choice of learning subjects and grade level of your child. We use a tool from the provider Appointlet, LLC (USA) to book appointments. One of our guides will then contact you by phone and conduct the tour together with you. We make this call with the help of the provider Aircall SAS (France). Only if you give us your explicit consent, your call will be recorded for training purposes only and deleted after one year.

sofatutor can also assign freelancers to provide personal introductions. For this purpose, general user data transmitted by the browser, such as the browser used, as well as further customer data for logged-in customers (user name, e-mail address and the subject/topic of the current video) are transmitted in order to be able to help you as well and as quickly as possible.

## Customer Surveys & Ratings

sofatutor uses the services SurveyMonkey (USA) and Hotjar (Malta) to survey customers through a pop-up after the purchase process. In doing so, your browser communicates directly with the services. In a few cases, sofatutor transmits a user ID to SurveyMonkey or Hotjar, but this does not allow SurveyMonkey or Hotjar to draw any conclusions about your person. sofatutor receives an evaluation of the answers from the aforementioned services.

sofatutor has a great interest in documenting the satisfaction of our customers through independent surveys and to use this information for further improvements. Therefore, on our behalf, the service eKomi of eKomi Holding GmbH (Germany) determines the satisfaction of our customers through surveys by email.

The use of service providers to gather customer feedback and determine customer satisfaction is based on our legitimate interest in the continuous development and improvement of our offerings for you. For participation in customer surveys, we obtain the consent of the affected person.

## Email Communication and Advertising

We use the email address provided by you when creating a user account or when concluding a sofatutor subscription in order to contact you regarding our respective contractual relationship and to be able to send you all important and further information that is of interest to you on the one hand.

On the other hand, we use your email address to inform you about products and other sofatutor offers in which you have a presumed information interest. This also applies to the advertising of our paid offer if you have initially only selected access to our free offer by creating a user account. You can object to the use at any time by sending a message to the email address below or by clicking on the unsubscribe link in the email without giving any reasons.



sofatutor uses the providers Episerber GmbH (Germany) and SendGrid of Twilio Inc. (USA) for sending offers and information by email. In this regard, email addresses, names, and other information regarding your interaction with our emails are stored on servers of these providers. However, personal data may not be used by these providers for purposes other than sending emails on behalf of sofatutor.

Under certain circumstances, we may also use your contact data that we have collected in the course of entering into a contractual relationship with you in order to be able to inform you by mail about offers, for example, if the term of your subscription is coming to an end or has already expired, or if you have cancelled or revoked your subscription within the free trial period. The processing of personal data for the purpose of direct marketing constitutes a legitimate interest. This is particularly aimed at maintaining the loyalty of our existing customers and regaining former customers.

In addition, we conduct general analyses of existing customers in order to obtain a better picture of our customer base and their preferences and, if necessary, to potentially approach new, similar customers based on this. For this purpose, we sometimes use external providers, with each of whom special contracts are concluded for the protection of your data. The processing of existing customer data for our own marketing purposes is to be regarded as an legitimate interest.

**You can object to the use of your personal data for the aforementioned marketing purposes at any time free of charge with effect for the future by sending an email to [dataprotection@sofatutor.com](mailto:dataprotection@sofatutor.com).**

## Cookies & Tracking

### General Information

Cookies are small files that can be stored on your computer by a website. These files contain information that can be retrieved by the website when you make a new request.

We use first-party and third-party cookies, as well as similar tracking technologies, to make our website user-friendly and to provide certain settings and functionalities. The legal basis for the use of cookies is your consent or the fulfilment of the contractual relationship or the initiation of a contract, as well as our legitimate interest in the optimisation and analysis of our online offerings.

For registered users, for example, identification information is stored in cookies so that communication with a website can take place in a protected manner. If you are interested in a free test at sofatutor or when you are on our platform, we store information on your computer, e.g. in a cookie, about the subject combination you have selected in order to display the relevant information to you.

We use session cookies (which are deleted after you close your browser) and persistent cookies (which are stored in your browser for a specified period) as well as similar technologies.

You can prevent the storage of cookies through your browser settings. In this case, however, the use of sofatutor's services is limited.

### Specific cookies

Information on individual cookies and the (third-party) services used can be found under [„Cookie Details“](#).

### Facebook Conversion API

We use the Facebook Conversion API on our website, a server-side event tracking tool. This is a data interface through which we transmit data about your behaviour on our website to Facebook for analysis, enabling us to display advertisements tailored to your user behaviour on our website. Usage data (e.g. visited web pages, interest in content, access times) and meta/communication data (e.g. device information, IP addresses) are processed in this context. Your data is not shared with third parties. However, we work with Facebook to create user statistics. Data may also be processed in the USA. The basis for this data processing is the European Commission's adequacy decision according to Article 45 GDPR. Provider: Meta Platforms Ireland, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland. For information on data protection, please see [here](#).

## Information in Connection with the Use by Teachers and Schools

If you are interested in using sofatutor for your school, you can contact us by providing your name, email address, and other information necessary to create an offer. Depending on the license you purchased, your teachers and possibly students will then receive access to the platforms. Your teachers and students must register with us by providing an email address and a password so that we can ensure that only authorized users have access to our content. If your students are minors less than 13 years of age, you must ensure that the respective accounts are created by the parents, who must consent to the processing of their children's personal information according to this privacy policy.

## Criminal Behavior of Users

The data required for criminal prosecution will be forwarded to law enforcement agencies if there is a reasonable suspicion of a criminal offense, such as fraudulent disclosure of the account details of a third person.

## Information for applicants

If you would like to apply for a job with us and use the application form on our website, we will need your first and last name, email address, telephone number and CV. Optionally, you can provide us with a photo, cover letter or additional information such as references. You can also apply to us through other channels such as email. We manage the data you submit in an applicant database offered by the service provider Recrutee B.V. (Netherlands), with whom we have concluded a data processing agreement for this purpose, irrespective of how you submit your documents.

We need to collect and process your data in order to manage your application. The data you provide will only be used in this regard. We will only add you to our talent pool with your consent. In this case, the legal basis for the storage is your consent, which you can revoke at any time.

If you have not consented to a longer storage period as explained above, we will delete your data after the application process has been completed, as soon as it no longer needs to be stored for our legal defence. Should the application process be positive and we hire you, the duration of the storage of your data will be based on the statutory retention obligations.

## User Rights



### **Access and deletion of your child's personal information**

By signing in to the user account, the parent can review the information collected from the user of the child profile at any time. The parent may refuse to permit the further collection of the child's information by no longer providing the child access to our platforms. To request deletion of personal information of a child, please submit a request via email to [dataprotection@sofatutor.com](mailto:dataprotection@sofatutor.com).

### **California Residents**

If you are a resident of the state of California, you have certain rights with respect to personal information that we have collected about you under the CCPA. Exercising these rights is not associated with any disadvantages to you.

#### **Right of Access / Deletion**

You have the right to know more about the personal information we have collected about you in the last 12 months. Also, you have the right to request the deletion of your personal information, subject to certain exceptions. In order to exercise these rights, please submit a request via email to [dataprotection@sofatutor.com](mailto:dataprotection@sofatutor.com)

#### **Right to Opt Out / Do Not Sell My Personal Information**

Furthermore, you have the right to direct us not to sell your personal information. Please note that we will never "sell" personal information to third parties without your consent. However, we allow the third parties set out above to collect personal information through cookies or similar technologies, e.g. for marketing purposes. Please see "Cookie Details" for more information about how third parties use cookies and related technologies to collect information. In case of users that are less than 16 years of age, this only takes place where we received the prior consent from either the minor who is between 13 and 16 years of age or the parent of a minor less than 13 years of age. In any case you can Opt Out from the use of cookies and similar technologies and the resulting "sale" of your personal information by adjusting the settings in our cookie consent accordingly.

### **Nevada Residents**

You have the right to direct us not to sell your personal information. You can Opt Out from the use of cookies and similar technologies and the resulting "sale" of your personal information by adjusting the settings in our cookie consent accordingly.

## **Changes to this Privacy Policy**

In the event of a change in legal regulations or our service, it may become necessary to adapt this data protection statement. If material changes to this Privacy Policy are made, we will notify you by posting a notice on our website or through other appropriate communication channels. The current version of the data protection provisions can be viewed at any time at [www.us.sofatutor.com](http://www.us.sofatutor.com) under the link <https://us.sofatutor.com/legal/privacy-policy>.