



PRIVACY STATEMENT MYLAPS SPORTS TECHNOLOGY

Version September 2022

Mylaps B.V. is an international sports technology company. In the course of our activities, we process personal data, both as data controller, and as data processor, on behalf of our business partners. Via this privacy statement, we:

1. inform you about our processing as data controller in accordance with applicable data protection laws and regulations, including the General Data Protection Regulation (GDPR).
2. In the second part of this privacy statement, we inform you about processing of data that we perform as data processor, *on behalf of* our business partners, who qualify as data controller.

Who are we?

We are Mylaps B.V., an international sports technology company that is registered in the trade register under number 34053090. Our postal address is MYLAPS Headquarters, Zuiderhoutlaan 4, 2012 PJ Haarlem, the Netherlands. For inquiries relating to your privacy, you can reach us via e-mail at privacy@mylaps.com.

The Mylaps group includes Mylaps B.V., Mylaps Experience Lab B.V., Mylaps Event Timing B.V., Mylaps US, Inc (Atlanta, GA, USA), Mylaps Japan KK (Tokyo, Japan), and Mylaps Asia-Pacific (Sydney, Australia).

We have appointed a privacy officer. You can reach our data protection officer via e-mail at privacy@mylaps.com. If you have any questions or concerns about this privacy statement or the processing of your personal data, please do not hesitate to contact us.

Legal grounds

We process personal data if (at least) one of the following lawful processing grounds applies:

- the processing is allowed based on your consent;
- the processing is necessary to perform or enter into a contract with you;
- the processing is necessary to comply with our legal obligations; or
- the processing is necessary for the purposes of a legitimate interest of us or of a third party. We only rely on this lawful processing ground if the legitimate interest outweighs your privacy rights and freedoms. In this case, you have the right to object on grounds relating to your particular situation.

Where possible, the information about processing activities below includes information about the specific lawful processing ground(s).

PART 1: PROCESSING ACTIVITIES AS DATA CONTROLLER

Which personal data we process about you as data controller and for which (legitimate) purposes, depends on which category of data subjects (for example individuals to whom the

personal data relate) you belong to. The below overview sets out per category of data subjects which personal data we process, for which purpose(s) and on the basis of which legal ground.

1. Processing activities as data controller		
Category of data subjects	Personal data	Processing purpose and legal ground
Customers of the Mylaps web shop; directly via the internet shop or via de Speedhive App web shop	Name, address, email address, telephone number.	Purpose: to be able to ship the product ordered by the customer of the web shop. Legal ground: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
Customers of the Mylaps web shop.	Name, address, email address.	Purpose: to be able to send commercial emails. Legal ground: article 6.1 (a) GDPR: your consent.
Users of Mylaps services.	Name, email address, telephone number (if desired by user),	Purpose: User support. Legal ground: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; article 6.1 (f) GDPR: necessary for the purposes of the legitimate interests pursued by the controller or by a third party.
Suppliers.	Name, business address, business email address, telephone number.	Purpose: to be able to contact suppliers. Legal ground: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; article 6.1 (f) GDPR: necessary

		for the purposes of the legitimate interests pursued by the controller or by a third party.
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Irrespective of the category of data subjects, we process personal data as data controller:

- to comply with legal obligations, for example to cooperate with competent authorities or pursuant to tax or data protection laws and regulations;
- in relation to business transactions, for example relating to a change in our corporate structure (for example merges and acquisitions). This is mostly based on our legitimate interest to enter into such transactions and related contracts;
- for the protection of our employees, visitors, premises and belongings. This is mostly based on legal obligations or a legitimate security interest; and
- in relation to (the preparation of) legal proceedings. This is mostly based on a legitimate interest to protect our legal position or the interest of other parties involved in such legal proceedings.

Sources of personal data

We mostly obtain personal data directly from you.

We may however obtain your personal data from a different source, such as our contact person at your organization, our suppliers and/or business partners. Please refer to part 2: Processing activities as data processor, on behalf of our business partners.

Your rights

Pursuant to the GDPR, you have various rights with respect to your personal data, including:

- right of access: the right to obtain a confirmation as to whether or not we process your personal data, and if so, the right to access such personal data;
- right to rectification: the right to have inaccurate personal data relating to you rectified;
- right to erasure (the right to be forgotten): the right to have personal data relating to you deleted;
- right to restriction of processing: the right to have the processing of personal data relating to you restricted;
- right to data portability: the right to have personal data relating to you transmitted to another company in a structured, commonly used and machine-readable format;
- right to objection to processing: the right to object to the processing of personal data relating to you, on grounds relating to your particular situation; and
- right to withdraw consent: if you have consented to the processing of your personal data, you have the right to withdraw such consent. This does not affect the legality of the processing prior to the withdrawal.

You can send a request to exercise any of your rights in writing via privacy@mylaps.com related to personal data we process as data controller. In general, we will respond within 30 days. Applicable data protection laws prescribe various conditions, limitations and exceptions in relation to the privacy rights set out above. We will determine on a case-by-case basis whether

such conditions, limitations or exceptions apply.

If you send us a request to exercise your rights, we must verify your identity pursuant to applicable data protection laws. Should you provide us with a passport copy for this purpose, we kindly request you to delete all irrelevant personal data (such as the citizen service number) on the copy. Dutch citizens can use the 'KopieID-app' of the Dutch Government for this purpose (available in the Apple App Store and Google Play Store).

Complaints

If you have a complaint, we ask you to inform us via privacy@mylaps.com so we can try to solve the issue together.

Further to the rights listed above, you have the right to lodge a complaint with the Dutch Data Protection Authority (Autoriteit Persoonsgegevens). If you wish to do so, please note that the Dutch Data Protection Authority will only handle your complaint if you have filed a complaint with us first. If you live in a different EU Member State, you may also lodge a complaint with your local data protection authority.

Recipients of personal data

Your personal data are accessible to persons within our organization who have a valid reason to access your personal data. Under circumstances, your personal data may also be shared with recipients outside of our organization. This for instance includes our group companies, service providers, competent authorities and governmental institutions, courts, banks and/or business partners. If a recipient processes personal data as a 'processor' on our behalf, we will enter into a data processing agreement.

International transfer of personal data

In principle, we do not share personal data with recipients outside of the European Economic Area, the area where the GDPR applies directly. If there is any situation where we deviate from this principle, we will take the necessary measures to comply with the GDPR. This means such international data transfers will take place if:

- an adequacy decision from the European Commission applies to the recipient, meaning that the country of destination offers an adequate level of data protection;
- appropriate safeguards have been put in place, such as binding corporate rules or a data transfer agreement on the basis of EU standard contractual clauses; or
- a specific derogation applies on the basis of applicable data protection laws.

The countries for which adequacy decisions exist are listed [on the website of the European Commission](#). If your personal data are transferred pursuant to appropriate safeguards, you can request a copy as part of your right of access. Where appropriate, the same applies to specific derogations.

Personal data retention

We do not retain personal data for longer than necessary for the purpose(s) for which we have collected personal data. Where applicable, we retain your personal data to comply with our legal



retention obligations. After a data retention period has expired, your personal data may persist on backup or archival media for an additional period.

Mandatory provision

You may be required to provide your personal data to us because of a contractual or legal obligation. We will inform you of such obligation(s) where this applies. If you fail to provide us with your personal data even though this is mandatory pursuant to law or contract, we cannot provide our services and may decide to terminate our relationship with you as an individual or business.

Cookies

Please refer to our Cookie policy for more information about our use of cookies via <https://www.mylaps.com/cookiepolicy/>.

Children

In general we do not process personal data relating to children (below 16 years). Should this happen, however, we will try to obtain consent from the parent or legal representative of the child where necessary. If you are a parent or legal representative of a child whose personal data we process, please contact us if you require assistance with explaining the content of this privacy statement.

Changes to this privacy statement

We may update this privacy statement from time to time. The most recent version of this privacy statement is always published on our website: www.mylaps.com. If material changes are made, we will inform you thereof using contact details available to us.

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PART 2: PROCESSING ACTIVITIES AS DATA PROCESSOR, ON BEHALF OF OUR BUSINESS PARTNERS

Background

Under GDPR, it is the role of the data controller to inform you about the processing of your personal data. In the cases described below, our business partners are the data controllers. Our business partners are for example race track owners, event organizers, sports clubs and sports federations. If you wish to use your data subject rights (for example deletion or access to your data), you should contact our business partner, in most cases the event organizer or the track owner, because they are data controller and should be able to help you. Only in case this is unsuccessful, you can contact us directly via privacy@mylaps.com.

Although our business partners are data controller, we want to provide clarity to you about processing activities that we carry out *on behalf of* our business partners.

Our role

In general, our role is limited to the supply of hardware for time keeping to our business partners.

For example a so-called BibTag (a small tag that allows the business partner to perform time keeping at a mass event), or transponders (for tracks) which measures the time or lap times through a connection with measure stations of the business partner. Our business partner's measure stations connect the time or lap times to user accounts of users, participants or racers. In most cases, this happens in IT systems of the business partner so the business partner is the timekeeper who decides the purpose and the means of the processing of the lap time data, and therefore qualifies as the data controller with its own obligations to comply with data protection laws such as GDPR.

In most cases, we do not even qualify as data processor or data controller because we cannot access your personal data and do not process your personal data collected via BibTags or transponders.

Mylaps as data processor *on behalf of the business partner*

However, there are situations where we may qualify as data processor *on behalf of* the business partner when we perform a service for the business partner (such as event organizers or track owners). Although we have built services and systems with which event results, training results or race times or split times can be stored and published, we technically only receive this data from the business partner (event organization or circuit owner) and process it *on behalf of* the business partner.

For example, if you bought a transponder, this transponder sends the data to our business partner's measure stations. The business partner (event organization or circuit owner) may process the data itself and publish the data itself.

However, the business partner may also send the data to us, with the request to process the data on behalf of the event organizer or circuit owner. Under GDPR, the latter is called 'data processing' so we are data processor for this part. We do not process this data for ourselves, but on behalf of the event organizer or circuit owner who has purchased the 'measure stations' from us. Without the event organizer or circuit owner we would not technically be able to obtain data from the transponder and we do not obtain the data via a direct relationship with you.

Overview

Which personal data we process about you as data processor on behalf of our business partners depends on which business partner and which service they use. The below overview sets out, per category of data subject and per type of business partner, which personal data we process on behalf of our business partners, for which purpose and on the basis of which legal ground.

Why publish results or times?

Business partners want to publish results, times and lap times with the usernames because many participants, users and racers want to be able see their results, times or lap times with their username online or in an app. The business partner can publish this information derived from the business partner's measure stations and time tracking systems in their own environment,

online or in their own app.

However, if the business partner does not have their own online environment or app available, they can instruct us to connect to one of our services to publish for example results, times and lap times with usernames, on behalf of the business partner. In this case, we host and process these personal data *on behalf of* the business partner as a data processor. Participants, users and racers can create an account and login with their account to view their times, lap times and other training results, which the business partner uploads.

OVERVIEW				
2. Processing as data processor on behalf of our business partners				
Category of data subjects	Type of business partner (= data controller)	Personal data	Processing purpose and legal ground	Retention period
Users of the Speedhive service.	Track owners, event organizers, sports/racing clubs, racing series, sport federations	Name, address, email address, phone number, date, track name, place and lap times, type of sports, account ID, transponder ID, gender, training results, event results, live event results, photo or video (optional), order history, in-app connections (followers and followed), in-app linked videos.	<p>Purpose: business partners and users wish to track and publish results, event times and lap times. On this platform (iPhone app, Android app and website) you can find (live) results of events and practice events. You can set your practice results as 'private' in your account on the website or in the app. The apps only show personal practice results.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	Data is stored on behalf of the user or on behalf of the business partner indefinitely because most users and business partners prefer this to be able to retrieve historical times. If you wish to use your data subject rights and change this for yourself, you should contact the business partner of the track or of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com .
Users of the ProChip timing system	Mainly ice-skating rinks, BMX or other tracks.	Name, gender, e-mail address, phone number. In the practice data base: split times, account ID, transponder ID. In	<p>Purpose: business partners and users wish to measure and publish times and lap times. The user connects its ProChip with the business partner's ProChip timing system. The business partner connects the</p>	Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve

		<p>the results data base: event results, sometimes by category and sport type.</p>	<p>times and lap times to user accounts that, in most cases, the business partner has created in its own systems. If the business partner does not have its own systems, we may process personal data collected via the ProChip timing system <i>on behalf of</i> the business partner.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>historical times. If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com.</p>
<p>Participants of events that use the Mylaps Event Timing service.</p>	<p>Running, biking, triathlon and other active events in the Netherlands, and incidentally in other countries and IronMan Events in Europe.</p>	<p>Name, place of residence, result, position at the event, finish time, split times, distance, photo or video, member of a team and specific categories such as professional or amateur and in some cases gender and age for results per category.</p>	<p>Purpose: business partners and participants wish to create and publish event result for participants of business partner's events. You can choose to create an account to keep your data in one account.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve historical times. If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com.</p>
<p>Participants of events that use the Sporthive Event Results service.</p>	<p>Running, biking, triathlon and other active event, and partners using the Mylasp Event Timing Service.</p>	<p>Name, age, gender, finish time, split times, position, pace category, photo or video.</p>	<p>Purpose: business partners and participants wish to create and publish event result for participants of business partner's events. You can choose to create an account to keep your data in one account. You can view, buy and share personal photos</p>	<p>Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve historical times. If you wish to use your data</p>

			<p>and videos of your participation of the event.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com.</p>
Participants of events that use the registration service.	Event organizers.	<p>Name, address, e-mail address, phone number, date of birth, gender, emergency contact, event. Optional: expected end time, payment information. For non-European events only, and only where required: ID numbers.</p>	<p>Purpose: Business partners and participants wish to register for events during which you create an account. Service provider Njuko SAS in France handles the registration process. Your account allows you to change or edit your registration, for example transfer your registration, switch to a different distance or change privacy settings.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve historical times. If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com.</p>
Participants of events that use the EventKit service.	Mainly small (running) events.	<p>Name, address, e-mail address, phone number, date of birth, gender, event, date, Bib number, event result, distance, time, category, optional: payment information.</p>	<p>Purpose: business partners and participants wish to create and publish event result for participants of business partner's events.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve historical times. If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because</p>

				they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com .
Users who create an account.	Track owners, event organizers, sports clubs, sport federations, running events.	Name, address, email address, phone number, track name, place and lap times, type of sports, account ID, transponder ID, gender, training results, event results, live event results, photo (optional), order history, payment information.	Purpose: participants wish to store their sports timing related data in one central account. You can subscribe to this account. You control what others can see in the privacy settings Your account allows you to change privacy settings or edit your registrations, for example transfer your registration or switch to a different distance. Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.	Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve historical times. If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com .
Participants of events that use the Event App.	Event organizers, time keepers.	Name, email address, phone number, Bib number, event results, times, split times, location, route information, GPS coordinates, photo or video.	Purpose: business partners and participants wish to create and publish event result for participants of business partner's events. You can choose to create an account to keep your data in one account. For example: when you connect a Bib tag to your app, this information is stored in your account to allow you to customize the experience. Service provider SportUnity in the Netherlands handles the EventApp process. Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the	Data is stored on behalf of event organizer indefinitely because most participants and event organizers prefer this to be able to retrieve historical times. If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via

			performance of a contract to which the data subject is a party.	privacy@mylaps.com.
Participants of events that use Hardloop Supporter service.	Event organizers, timekeepers.	Name, number and time on a certain location in connection to where the video screen is placed.	<p>Purpose: business partners wish to offer a service to family and friends of participants in which they can share a supporting video with service provider Triple Double in the Netherlands to support the participant via a video that will be shown on a video screen on the course. We inform service provider Triple Double when the participant is near the video screen so Triple Double can start the supporting video.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>The business partner decides on the retention period.</p> <p>If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com.</p>
Participants of events that use the RunnerTag photo service.	Event organizers, timekeepers.	<p>Event name, Bib number, photo, facial recognition biometric template derived from event photos (without names).</p> <p>After the specific participant requested its photo, only if desired by the user: email address, twitter account, facebook account</p>	<p>Purpose: business partners wish to offer a service to participants with which participants can download a photo of themselves at the finish line or during the event. In order to be able to match a specific participant with many event photos, the business partner, or we, use service provider Miro Gum Agency in USA. We process event photos with faces and Bib numbers (on the photo) but without names.</p> <p>We share these event photos with service provider Miro. During Miro's identification process, Miro uses these event photos with Bib numbers but without names to</p>	<p>Miro deletes uploaded photos of specific participants immediately after the matching process.</p> <p>Miro deletes templates of specific participants immediately after the matching process.</p> <p>Miro deletes downloaded photos of specific participants immediately after the download.</p> <p>Miro deletes facial recognition biometric template derived from event photos (without</p>

			<p>retrieve specific participant photos upon request: if participants wish to download a photo of themselves, the participant connects with the service of Miro. Miro asks the participant for its Bib number to retrieve the photo of the participant.</p> <p>If the Bib matching is not successful, Miro has created templates of all faces in the event photos (without names) and Miro asks the specific participant to upload a photo of themselves. Miro uses the uploaded photo to create a template of the specific participants' face and matches this one template with the many templates of the other faces in the event photos.</p> <p>If there is a match between the templates, Miro offers the photo of the participant who requested its photo for download in the Miro environment.</p> <p>Legal ground: <i>on behalf of</i> the business partner: article 6.1 (b) GDPR: necessary for the performance of a contract to which the data subject is a party.</p>	<p>names) two years after the event.</p> <p>If you wish to use your data subject rights and change this for yourself, you should contact the organizer of your event because they are data controller. In case this is unsuccessful, you can contact us directly via privacy@mylaps.com.</p>
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