**Privacy Policy**

**about the cookies used by Grape Solutions Zrt. on its** **<http://grape.solutions> website**

**Preamble**

This Privacy Policy introduces the details of the processing of the personal data of natural persons realized using cookies on the website <http://grape.solutions> being under the disposal of Grape Solutions Zrt.

This Privacy Policy shall not apply to data pertaining to data subjects other than natural persons.

**1. Name of the Data Controller, definition of personal data and Data Subject**

Data Controller means the legal entity who determines the purposes for which and the manner in which any personal data are, or are to be, processed.

**In relation to this Policy**

Data Controller: **Grape Solutions Hungary Zártkörűen Működő Részvénytársaság** (in this Policy hereinafter referred to as **Data Controller**)

Registered seat: 1023 Budapest, Árpád fejedelem útja 26-28.

Postal address: 1023 Budapest, Árpád fejedelem útja 26-28.

Registration no.: 01-10-047087

Website: https://grape.solutions

E-mail address: [support@grape.hu](mailto:support@grape.hu)

Telephone no.: +36-1-880-9200

Data protection officer: dr. Józan Flóra

Availability: Jozan.Flora@nkm.energy

Representative: Gárdonyi Zsuzsa ([Gardonyi.Zsuzsa@grape.](mailto:Gardonyi.Zsuzsa@grape.)solutions)

From the aspect of this Policy **personal data** shall mean any information relating to an identified or identifiable natural person (**Data Subject**). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier (such as name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental economic, cultural or social identity of that natural person).

The ‘**data controller**’ means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

The ‘**data processor**’ means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

The ‘**recipient**’ means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

**2. Subject of this Privacy Policy, legislation serving grounds for the data processing**

This Privacy Policy pertains to the processing of the personal data of the natural person visitors of the website realized by the cookies used on the website by the Data Controller.

The main legislation pertaining to the above data processing:

* the General Data Protection Regulation 2016/679 of the EUROPEAN PARLIAMENT AND COUNCIL (EU) (April 27, 2016) on the protection of natural persons with regard to the processing personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter referred to as: „**General Data Protection Regulation**” or “**GDPR**”)
* the Act CXII of 2011, on the Right of Informational Self-Determination and on Freedom of Information (hereinafter referred to as the “**Privacy Act**”)

**3. Legal grounds of the data processing**

The legal grounds for our data processing in case of cookies required for the proper operation of the website is the **subsection f) of Section (1) of articles 6. of the GDPR, the rightful interest of the Data Controller**.

The legal grounds for our data processing in case of other cookies is **subsection a) of Section (1) of Article 6 of the GDPR, i.e. the Data Subject has voluntarily gave his/her consent to the processing of his/her personal data for one or more purposes.**

In the event the legal ground of the data processing is your consent, then you have the right to voluntarily withdraw your consent at any time – please see section on the erasure of cookies -, however such withdrawal of consent shall not effect the lawfulness of the data processing prior to the withdrawal.

**4. Purpose of the data processing**

**The main purpose of the processing: processing of user data in relation to the web site operating with the content determined by the Data Controller.** Collecting information on how the visitors use the Data Controller’s website.

|  |  |  |
| --- | --- | --- |
| **Definition of cookies:** | **Why necessary?** | **Term of processing (archiving)** |
| \_\_hssc | A HubSpot cookie. This cookie keeps track of sessions. This is used to determine if HubSpot should increment the session number and timestamps in the \_\_hstc cookie. Type: targeting. More information at: https://knowledge.hubspot.com/reports/what-cookies-does-hubspot-set-in-a-visitor-s-browser | 72 hours |
| \_\_hssrc | A HubSpot cookie. Whenever HubSpot changes the session cookie, this cookie is also set to determine if the visitor has restarted their browser. If this cookie does not exist when HubSpot manages cookies, it is considered a new session. Type: targeting. More information at: https://knowledge.hubspot.com/reports/what-cookies-does-hubspot-set-in-a-visitor-s-browser | end of the session |
| \_\_hstc | A HubSpot cookie. This is the main cookie for tracking visitors. Type: targeting. More information at: https://knowledge.hubspot.com/reports/what-cookies-does-hubspot-set-in-a-visitor-s-browser | 13 months |
| \_ga | A Google Analytics cookie. A \_ga cookie is used to distinguish users (more precisely browsers). It contains a random generated number (e.g.: GA1.2.255322818.1517541613). It helps long term statistics on users’ site visits. Included in every page request. Expires in general after 2 years, but owners of the site may amend this. | 2 years |
| \_gat\_gtag\_UA\_163861077\_4 | The \_gat cookie as per Google serves to throttle the request rate, restricts data collection on frequently visited sites. Included in every page request. Expires after 1 minute. | 1 minute |
| \_gid | No detailed information is provided on \_gid cookie by Google. It seems it sets a unique value on each visited site. The value is a random generated number (e.g.: GA1.2.255322818.1517541613). Use is similar to \_ga cookie. Included in every page request. Expires after 24 hours. | 24 hours |
| \_hjAbsoluteSessionInProgress | A Hotjar cookie. This cookie is used to detect the first pageview session of a user. This is a True/False flag set by the cookie. More information at: https://help.hotjar.com/hc/en-us/articles/115011789248-Hotjar-Cookie-Information | 30 minutes |
| \_hjFirstSeen | A Hotjar cookie. This is set to identify a new user’s first session. It stores a true/false value, indicating whether this was the first time Hotjar saw this user. It is used by Recording filters to identify new user sessions. More information at: https://help.hotjar.com/hc/en-us/articles/115011789248-Hotjar-Cookie-Information | 30 minutes |
| \_hjid | A Hotjar cookie. Hotjar cookie that is set when the customer first lands on a page with the Hotjar script. It is used to persist the Hotjar User ID, unique to that site on the browser. This ensures that behavior in subsequent visits to the same site will be attributed to the same user ID. More information at: https://help.hotjar.com/hc/en-us/articles/115011789248-Hotjar-Cookie-Information | 1 minute |
| \_hjIncludedInPageviewSample | A Hotjar cookie. This cookie is set to let Hotjar know whether that user is included in the data sampling defined by your site's pageview limit. More information at: https://help.hotjar.com/hc/en-us/articles/115011789248-Hotjar-Cookie-Information | 30 minutes |
| CookieConsent | Stores the fact of acceptance of cookies unanimously. | 365 days |
| gatsby-gdpr-facebook-pixel | During session it contains whether the Facebook Pixel cookies have been accepted. | end of the session |
| gatsby-gdpr-google-analytics | During session it contains whether the Google Analytics cookies have been accepted. | end of the session |
| gatsby-gdpr-google-tagmanager | During session it contains whether the storage of Google TagManager cookies have been accepted. | end of the session |
| gatsby-gdpr-hotjar | During session it contains whether the storage of Hotjar cookies have been accepted. | end of the session |
| gatsby-grape-hubspot | During session it contains whether the storage of HubSpot cookies have been accepted. | end of the session |
| hubspotutk | A HubSpot cookie. This cookie is used to keep track of a visitor's identity. This cookie is passed to HubSpot on form submission and used when deduplicating contacts. Type: targeting. More information at: https://knowledge.hubspot.com/reports/what-cookies-does-hubspot-set-in-a-visitor-s-browser | 13 months |

**5. Scope of the data processed, source of the data**

**Definition of „cookies”:**

Small size data files, data blocks which the operator of the website places during the visit of the site through the site on the visitor’s computer/mobile device which the visitor’s browser save and store by downloading it from the website/application. During subsequent visits the operator through the cookies will be able to for example identify the visitor, distinguish the visitor from others, provide the visitor with custom made information in its browser page.

**Deny, deletion of cookies:**

Should you not want to consent the use of cookies you can do so with the change of your settings (deny, withdrawal) in your own browser/application. This may limit or prohibit the use of certain services. All modern browsers allow the change of cookie settings. Most of the browsers/mobile applications accept cookies automatically as default setting, but these settings can be changed to hinder automatic acceptance and offer every time the possibility for you to choose whether you accept or deny the use of cookies, examples for different browsers:

|  |  |
| --- | --- |
| Google Chrome: | <https://support.google.com/accounts/answer/61416?hl=hu> |
| Firefox: | [https://support.mozilla.org/hu/kb/sutik-informacio-amelyet-weboldalak-tarolnak-szami?redirectlocale=hu&redirectslug=S%C3%BCtik+kezel%C3%A9se](https://support.mozilla.org/hu/kb/sutik-informacio-amelyet-weboldalak-tarolnak-szami?redirectlocale=hu&redirectslug=Sütik+kezelése) |
| Microsoft Internet Explorer 8,9,10,11: | <https://support.microsoft.com/hu-hu/help/17442/windows-internet-explorer-delete-manage-cookies#ie=ie-11> |
| Microsoft Edge: | <https://privacy.microsoft.com/hu-HU/windows-10-microsoft-edge-and-privacy> |

Denying the use of cookies generally does not obstruct the visit and browsing of websites/mobile applications. A few cookies are inevitable for the proper operation of certain services, thus their denial or rejection, or deletion of already stored cookies will or may result that the website/mobile application will not operate fully and certain functions cannot be used by the visitor.

**TYPE OF THE COOKIES USED**

***Statistical cookies***

Our website only uses statistical cookies. For the purpose to develop our website and to enhance user-experience we use such cookies which makes it possible for us to collect information about how our website/application is used by our visitors. These cookies cannot identify you personally, they collect such information such as for example which site page has been viewed by the visitor, which part of the website/application has been clicked by the user, how many pages have been visited, what was the time of certain sessions, what were the error notes. Such performance cookies are the cookies of Google Analytics, Google Tag Manager, HubSpot, Facebook Pixel, Hotjar too.

The statistical cookies of Google LLC., HubSpot Inc., Facebook Inc., Hotjar Ltd. – as external service providers – are used on our website. We call your attention to the fact that the service providers may store anonym data in connection with your site visits (for statistical purposes), also your browser settings, or activity on the stie (e.g. which content have been viewed on the site and when). **The mentioned codes are not suitable for identification by the service providers or the Data Controller since they do not contain the visitor’s personal data, they only contain the browser software you use.**

**The website contains cookies of third parties and contains target cookies.**

* + Third party cookies: Makes the sharing of contents of other data controllers possible (e.g. community sites, Google Analytics, Adobe Marketing Cloud etc.) and may send information to the third party data controller which may be used later by the third party data controller to show targeted advertising.
  + Target cookies: ensure personalized advertisements on the website which meets the area of interest of the data subject (e.g. based on previous searches, chosen menu items, etc.). On the website of the Data Controller advertisements related to the services provided by Data Controller may be found.

**Sources of the data processed:** directly the Data Subject.

**6. Persons having access to the personal data, reasons of data forwardings**

**The employees of the Data Controller attending certain scope of jobs shall have access to the personal data as per access levels and manners defined by the Data Controller.**

**In case of the Data Processors detailed under section 9 the reason of the Data Controller’s data forwarding is that the Data Processors can attend their data processing tasks described undersection 9.**

**7. Term of processing, archiving personal data**

**The duration of the data processing under this Privacy Policy are included in the table under Section 4.**

**8. Data security**

Data Controller undertakes to ensure the protection of the personal data processed by Data Controller. Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, Data Controller shall implement appropriate technical and organisational measures and implement the procedures which ensure that the recorded, stored and processed data are protected, furthermore hinder the destroy, the unauthorized use and change of the data.

Data Controller obliges himself that it will call all third parties to whom Data Controller lawfully forwards or hands over data to comply with the requirements of data security.

Data Controller shall do its best to protect the personal data it processes against unauthorized access, transformation, disclosure, deletion or destruction, accidental destruction or damage. The processed data may only be accessed by the Data Controller, its employees and the data processors deployed by the Data Controller as per access levels, the data shall not be handed over to third persons not having right to access. The employees of the Data Controller and Data Processor shall only have access to the personal data as per scope of job, specific manner and access levels defined by the Data Controller and the Data Processor.

Data Controller for the sake of security of the IT systems shall protect its IT systems with firewall, and in order to prevent external and internal data loss use virus screens. Data Controller has also arranged for the control of all forms of incoming and outgoing communication for the sake of preventing misuse. By disabling the visiting of internet sites not related to work performance enhance the security of the data stored on the computers connected to the network. Regularly informs the users about the newly occurred and identified hazard sources (e.g. data phishing sites, e-mails, etc.) in order to reduce the possibility of a harmful codes to enter the system. For the archiving of data the Data Controller uses back up services.

Data Controller and Data Processor qualifies and handles the personal data as confidential data. For the protection of the data files stored electronically in different registers Data Controller ensures that the data stored in the registers – save for the exceptions defined by law – could not be directly connected to the Data Subject.

**9. Data processors**

Data processors are the natural or legal persons carrying out personal data processing on behalf of Data Controller. In connection with your personal data the following companies act as data processors (**Data Processor**):

|  |  |  |
| --- | --- | --- |
| **Data Processor**  **name, seat, ID data** | **Activity of the Data Processor** | **Personal data processed by the Data Processor** |
| Google INC.  seat: 1600 Amphitheatre Pkwy, Mountain View, CA 94043, United States  EIN/TAX ID: 770493581 | Data processor, access for statistical purposes | Cookies collected anonym way for statistical purposes |
| HubSpot Inc.  25 First street, 2nd floor, Cambridge, MA 02141, USA  EIN/TAX ID: 202632791 | Data processor, access for statistical purposes | Cookies collected anonym way for statistical purposes |
| Facebook Inc.  seat: 1601 Willow Road, Menlo Park, CA 94025, United States  EIN/TAX ID: 201665019 | Data processor, access for statistical purposes | Cookies collected anonym way for statistical purposes |
| Hotjar Ltd.  seat: Dragonara Business Centre, 5th Floor, Dragonara Road, Paceville St Julian’s STJ 3141, Malta  VAT number: MT21846014 | Data processor, access for statistical purposes | Cookies collected anonym way for statistical purposes |

**10. The rights in connection with data processing and possibility of enforcement of rights and legal remedy**

**10.1. Rights in connection with data processing**

The Data Subject may request from Data Controller the followings:

* to receive information about the facts pertaining to the data processing (before the start of the data processing or during processing),
* access to their personal data (provision of their personal data by Data Controller),
* to have their personal data rectified, or amended,
* save for the cases of compulsory data processing to have the processing of their personal data limited or to have their personal data deleted,
* right to data portability,
* may object against processing their personal data.

The Data Subject may submit its request to the Data Controller as per section 10.2 in writing. Data Controller shall perform the Data Subject’s request within one month by e-mail, letter sent to the availability provided by the Data Subject.

**10.1.1. Right to information (based on Article 13-14 of the General Data Protection Regulation)**

Data Subjects on the availabilities defined under section 10.2 may request information from Data Controller that:

* which personal data,
* under what legal grounds,
* for what purpose,
* from which sources
* for what duration are processed,
* are any data processors deployed, if yes their name, address and activity in relation to the data processing,
* to whom the Data Controller ensured access to or forwarded personal data, when and under what legal regulation,
* the circumstances, impact and the countermeasures taken related to any personal data breach,

**10.1.2. Right to access (based on Article 15 of the General Data Protection Regulation)**

Data Subject is entitled to receive response from Data Controller regarding whether the Data Subject’s personal data are processed by Data Controller and if personal data of the Data Subject are processed get access to the following information:

* categories of the processed personal data,
* purpose of the data processing,
* recipient to whom the personal data have been or will be disclosed,
* term of archiving the personal data or the aspects of determining the term of archiving,
* sources of the personal data if the source is not the Data Subject,
* right to turn to supervisory authority (complaint),
* if any automatic decision making or profiling takes place then this fact, its logics and the expected consequences.

The Data Subject may request the above response from the as per section 10.2 in writing.

Data Controller will provide copy of the personal data undergoing processing to the Data Subject if that is not prohibited by law. If Data Subject has submitted its request by electronic means, then the information shall be provided to the Data Subject in a commonly used electronic form unless otherwise requested by the Data Subject.

**10.1.3. Right to rectification, supplementation (based on Article 16 of the General Data Protection Regulation)**

Through the availabilities defined undersection 10.2 the Data Subject may request in writing from Data Controller to modify any of his/her personal data (for example may change his/her e-mail address or post address or request rectification any of his/her inaccurate personal data).

Considering the purpose of the data processing the Data Subject is entitled to request from the Data Controller the supplementation of any of his/her incomplete personal data undergoing processing.

**10.1.4. Right to erasure (based on Article 17 of the General Data Protection Regulation)**

Through the availabilities defined undersection 10.2 the Data Subject may request in writing from Data Controller the erasure of his/her personal data if:

* the personal data are not necessary for the purposes for which it had been collected for or has been processed otherwise, or
* the Data Subject withdraws his/her consent and the data processing does not have any other legal grounds, or
* the Data Subject objects the data processing and there is no other legitimate right for the processing which override the rights of the Data Subject, or
* the personal data have been processed unlawfully, or
* for the performance of the legal obligation pertaining to the Data Controller the personal data must be erased, or
* the personal data have been collected for offering services in connection with information society services (e.g. any kind of online marketing, online prize game).

If you have provided us your personal data for the purpose to perform a contract or under law, then the related processing of these personal data will not automatically cease with the termination of the contract, Data Controller shall process the data until the term required by law, thus we cannot perform your request for erasure.

Other important reasons, interests may also occur which provide legal grounds for processing personal data even if their erasure was requested by the Data Subject (for example such as exercising freedom of expression and right to information, or if necessary to submit, enforce or to protect legal claims).

**10.1.5. Right to restriction of processing (based on Article 18 of the General Data Protection Regulation)**

Through the availabilities defined undersection 10.2 the Data Subject may request in writing from Data Controller the restriction of processing of his/her personal data (by clearly indicating the restricted nature of data processing and ensuring processing separated from other data).

The restriction shall last until the reason determined by Data Subject makes the storage of the data necessary.

Restriction of data may be requested by the Data Subject, if:

* the accuracy of the personal data is contested by the Data Subject (for a period enabling the Data Controller to verify the accuracy of the personal data), or
* the processing is unlawful and the Data Subject opposes the erasure of the personal data and requests the restriction of their use instead, or
* the Data Controller no longer needs the personal data for the purposes of the processing, but they are required by the Data Subject for the establishment, exercise or defence of legal claims, or
* the Data Subject has objected to processing (pending the verification whether the legitimate grounds of the Data Controller override those of the Data Subject).

During the term of the restriction – save for the cases of protecting public interest, personal rights – no other action can be performed with the personal data then storage.

**10.1.6. Right to data portability (based on Article 20 of the General Data Protection Regulation)**

Through the availabilities defined undersection 10.2 the Data Subject may request in writing from Data Controller to receive the personal data concerning him/her, which he or she has provided to the Data Controller in a structured and commonly used and machine-readable format and forward these data to another data controller without hindrance from the Data Controller, if

* the data processing is based on consent pursuant to point a) of Article 6 (1) or point a) of Article 9 (2) of the General Data Protection Regulation, or
* based on agreement as per Article 6 Section (1) point b); and
* the data processing is carried out by automatic means.

**10.1.7. Right to objection (based on Article 21 of the General Data Protection Regulation)**

Through the availabilities defined undersection 10.2 the Data Subject may object in writing the processing of his/her personal data pursuant to point f) Article 6 (1) of the General Data Protection Regulation required for the enforcement of rightful interest of the Data Controller or a third party, including profiling based on those provisions. In such event Data Controller shall not further process the personal data, except if the Data Controller demonstrates compelling legitimate grounds for processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defence of legal claims.

If personal data is processed for the purpose of direct marketing then the Data Subject is entitled to object at any time for the processing of the personal data for this purpose, including profiling if that is related to direct marketing. If the Data Subject objects the processing of the personal data for direct marketing purposes then the personal data may not be processed further on for this purpose.

**10.2. Enforcement of rights, legal remedies in connection with data processing**

**Contacting the Data Controller**

Upon exercising any rights of the Data Subject according to section 10.1, request for information on data processing, or objection or complaint against the data processing the Data Controller without undue delay within the deadline defined by current legal regulations shall examine the case, take measures in connection with the request and provide information to the Data Subject. If required considering the complexity and number of requests this deadline may be extended according to law.

**We recommend that before initiating any court or administrative procedure please contact Data Controller first since the information pertaining to your questions, reuóquest are available at Data Controller.**

**We will examine your request within 1 month, this deadline – iróf justified by the complexity of the case – can be prolonged with a further 2 months.**

**Initiating a court procedure**

The Data Subject may initiate a lawsuit against the Data Controller or against the data processor (if any) – in relation to the data processing falling within the activities of the data processor -, if in his/her view the Data Controller or the data processor engaged by Data Controller processes his/her personal data by the breach of the provisions of the legal regulation or the compulsory legal rules of the European Union on processing personal data.

The lawsuit shall fall within the competence of the regional court (törvényszék). The lawsuit – as per the choice of the Data Subject - can also be initiated before the regional court having competence based on the home address or the residence address of the Data Subject.

**Initiating administrative procedure of the supervisory authority**

The Data Subject is entitled to request an investigation procedure or the conduction of an administrative procedure from the Hungarian National Authority for Data Protection and Freedom of Information (1055 Budapest, Falk Miksa u. 9-11., post address: 1363 Budapest, Pf. 9., telephone: +36-1-391-1400, fax: +36-1-391-1410, e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)) in order to enforce his/her rights with reference to the fact that infringement has occurred in connection with the processing of his/her personal data or the direct threat of such infringement occurred, such as in particular:

* according the Data Subject’s opinion the Data Controller restricts the exercising of the rights of the Data Subject defined under Section 10.1 or rejects the request of the Data Subject regarding the enforcement of such rights (initiation of an examination), or
* in view of the Data Subject during the processing of his/her personal data the Data Controller or the data processor engaged by the Data Controller infringe the provisions of law or the compulsory legal regulations of the European Union pertaining to data processing (request for conducting an administrative procedure).

**11. Encumbrances**

During the processing of the personal data described in this Privacy Policy automated individual decision-making, profiling does not take place.

Personal data may only be forwarded to third countries or international organizations if the prevailing provisions of the General Data Protection Regulation are met and if the compliance with level of protection guaranteed by the General Data Protection Regulation is also ensured.

Data Controller reserves the right to unilaterally amend this Privacy Policy for the future. Data Controller will notify the Data Subjects of the amendments on its website and through the Intranet.

Effective date: 26 Oct 2021