

# PRIVACY POLICY

## § 1 General Provisions

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1. This Privacy Policy (hereinafter referred to as the "Policy") applies to the AI Fashion Photography platform (hereinafter referred to as the "Website" and "Service") and is intended to inform you about the purposes of collecting Personal Data and its collection and use.
2. In this Policy, "Personal Data" means any information about an identified or identifiable natural person.
3. In this Policy, "User" means any natural person, including those conducting a business or professional activity on their own behalf, and a natural person representing a legal person or an organizational unit that is not a legal person, which is granted legal capacity by law, using the Service.
4. In this Policy, "GDPR" means Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation).

## § 2 Controller of Personal Data

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1. The controller of the Personal Data processed through the Website is "Narf spółka z ograniczoną odpowiedzialnością" with its registered office in Warsaw at the address: Al. Jana Pawła II 27, 00-867 Warszawa, Tax Identification Number (NIP): 5273029809, National Business Registry number (KRS): 0001004209 (hereinafter: "Controller").
2. Contact with the Controller is possible through the contact form available on the Website or by e-mail.
3. The Controller shall take special care to respect the privacy of Users and persons using the Website without creating a User account.

## § 3 Type of Processed Data, Purposes and Legal Basis

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1. Personal Data of persons using the Website without creating a User account shall be used only for analytical purposes and to ensure the operation of the Website.
2. When using the Website, additional information may be collected, in particular: the IP address assigned to the User's computer or the external IP address of the Internet provider. The collected data is not associated with specific individuals browsing the Website.

3. Persons using the Website are not required to provide Personal Data, but providing Personal Data is necessary to conclude a contract for the provision of electronic services. Refusal to provide Personal Data will result in the inability to conclude an agreement.
4. Below is a detailed description of Users' Personal Data that are processed by the Service, with an explanation of the purposes and legal basis for their processing:

### **Account Registration and Use of the Service**

Data processed: e-mail address, company name, company registration number, billing address, VAT identification number (if applicable).

Purpose of processing: conclusion of the contract for the provision of electronic services with the Service, providing access to the platform, managing User accounts.

Legal basis: performance of an agreement to which the data subject is a party (Article 6(1)(b) GDPR).

Storage period: for the period necessary for the performance of the agreement, and thereafter for the period resulting from the statute of limitations for potential claims (e.g., three years for business-to-business contracts under Article 118 of the Polish Civil Code).

### **Payment Transactions**

Data processed: e-mail address, billing address, VAT identification number. Additional Personal Data required by Polar Software Inc. as the payment processor.

Purpose of processing: payment processing, invoicing, bookkeeping.

Legal basis: processing is necessary for the performance of a contract to which the data subject is a party (Article 6(1)(b) GDPR); processing is necessary for the fulfillment of a legal obligation incumbent on the Controller (Article 6(1)(c) GDPR).

Storage period: the period necessary for the execution of the payment transaction, and after that period for the period resulting from the statute of limitations for potential claims; data processed for tax purposes are stored until the expiration of the tax liability period (5 years under Article 70 § 1 of the Polish Tax Ordinance); data processed for accounting purposes will be kept for the period specified in the Accounting Act (5 years under Article 74 § 3).

### **Image Processing and AI Generation**

Data processed: photographs and images uploaded by the User (Input Materials), which may contain images of identifiable persons; Generated Content created by the Service.

Purpose of processing: providing the AI-powered fashion photography generation service, processing images using artificial intelligence to create Generated Content.

Legal basis: performance of an agreement to which the data subject is a party (Article 6(1)(b) GDPR). Where Input Materials contain images of third parties, the User warrants that appropriate consent has been obtained (Article 6(1)(a) GDPR).

Storage period: Input Materials and Generated Content are stored for the duration of the User's active account. Upon account deletion, data will be deleted within 30 days, except where retention is required by law.

### **User Queries and Support**

Data processed: e-mail address, content of the inquiry.

Purpose of processing: to respond to inquiries from the User, to contact the User in order to inform them of changes in the functioning of the Website, changes in the Terms of Service or Privacy Policy.

Legal basis: User's consent (Article 6(1)(a) GDPR), Controller's legitimate interest (Article 6(1)(f) GDPR) in responding to Users' inquiries.

Storage period: where the legal basis for data processing is the User's consent, Personal Data will be stored until revocation; where the legal basis is the legitimate interest of the Controller, Personal Data will be stored until an effective objection is made.

### **Website Usage Analytics**

Data processed: the IP address assigned to the User's computer or the external IP address of the Internet provider (the IP address will be considered Personal Data only if it is possible to identify the User on the basis of this address).

Purpose of processing: analysis of data collected automatically when Users use the Website in order to adapt the Website to the needs and behavior of Users, ensuring the security and proper operation of the Service.

Legal basis: legitimate interest of the Controller (Article 6(1)(f) GDPR).

Storage period: the period necessary to analyze the data collected when the Website is being used.

## **§ 4 Entrusting Personal Data to Third Parties**

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1. User's Personal Data shall be transferred to the service providers used by the Website in order to provide services of the highest possible quality. Service providers to whom Personal Data is transferred, depending on contractual arrangements and circumstances, are subject to the Controller's instructions as to the purposes and means of processing such data (processors).
2. The following is a list of processors:

### **1) Polar Software Inc.**

Users' Personal Data are entrusted to Polar Software Inc. for the purpose of processing payment transactions for the Service. Polar acts as the Merchant of Record for all payment transactions, handling payment processing, invoicing, and tax collection. Polar Software

Inc. ensures that Personal Data is processed in a lawful manner, in accordance with the GDPR. Detailed information is available in the privacy policy at: <https://polar.sh/legal/privacy>.

## **2) Supabase Inc.**

Users' Personal Data are entrusted to Supabase Inc. for the purpose of user authentication, account management, and storage of User account data. Supabase provides the database infrastructure for the Service. Supabase Inc. ensures that Personal Data is processed in accordance with the GDPR. Detailed information is available in the privacy policy at: <https://supabase.com/privacy>.

## **3) Hetzner Online GmbH**

Users' Personal Data, specifically Input Materials and Generated Content (which may contain images of identifiable persons), are stored on servers operated by Hetzner Online GmbH within the European Union. Hetzner provides cloud storage infrastructure for image files. Hetzner Online GmbH ensures that Personal Data is processed in accordance with the GDPR. Detailed information is available in the privacy policy at: <https://www.hetzner.com/legal/privacy-policy>.

## **4) Netlify, Inc.**

Netlify, Inc. provides website hosting and deployment services for the Service. Technical data such as IP addresses may be processed by Netlify in the course of delivering the Website to Users. Netlify, Inc. ensures that Personal Data is processed in accordance with the GDPR. Detailed information is available in the privacy policy at: <https://www.netlify.com/privacy>.

## **5) Google LLC**

Users' Input Materials are processed using Google's Gemini API for the purpose of AI-powered image generation. Images uploaded by Users are transmitted to Google's servers for processing by artificial intelligence models. Google LLC ensures that Personal Data is processed in accordance with applicable data protection laws. The Controller has entered into appropriate data processing agreements with Google. Detailed information is available in Google's privacy policy at: <https://policies.google.com/privacy> and the Google Cloud Data Processing Terms.

- 3.** If a request is made, the Controller shall make Personal Data available to authorized state authorities, in particular to organizational units of the Prosecutor's Office, the Police, the President of the Personal Data Protection Office, the President of the Office for Competition and Consumer Protection or the President of the Office of Electronic Communications.

## **§ 5 International Data Transfers**

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1. Some of the processors listed in § 4 are located outside the European Economic Area (EEA), including in the United States.
2. Where Personal Data is transferred outside the EEA, the Controller ensures that appropriate safeguards are in place, including:
  - a) Standard Contractual Clauses adopted by the European Commission;
  - b) the recipient's participation in certification mechanisms such as the EU-U.S. Data Privacy Framework;
  - c) other appropriate safeguards as required by Article 46 of the GDPR.
3. Users may request information about the specific safeguards applied to international data transfers by contacting the Controller.

## **§ 6 User's Rights**

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1. Data subjects shall have the following rights:
  - a) the right to information about the processing of Personal Data — on this basis, the Controller shall provide the person making such request with information about the processing of Personal Data, including, in particular, the purposes and legal grounds for the processing, the scope of the data held, the entities to which the Personal Data are disclosed and the planned date for their deletion;
  - b) the right to obtain a copy of the data — on this basis, the Controller shall provide a copy of the processed data that concerns the person making the request;
  - c) the right to request rectification of data — on this basis, the Controller removes any inconsistencies or errors regarding the processed Personal Data, and completes or updates it if it is incomplete or has changed;
  - d) the right to erasure — on this basis, you can request the erasure of data whose processing is no longer necessary to carry out any of the purposes for which they were collected;
  - e) the right to restrict processing — on this basis, the Controller shall cease performing operations on Personal Data, except for operations consented to by the data subject, and shall cease storing them, in accordance with the adopted retention rules, or until the reasons for restricting data processing cease to exist;
  - f) the right to data portability — on this basis, to the extent that the data are processed in connection with a concluded contract or given consent, the Controller shall release the data provided by the data subject in a computer-readable format;
  - g) the right to object to the processing of data for marketing purposes — the data subject may object at any time to the processing of Personal Data for marketing purposes, and there is no need to justify such objection;
  - h) the right to object to other purposes of processing — the data subject may object at any time to the processing of Personal Data on the basis of a legitimate interest of the Controller; an objection in this regard should contain a justification and is subject to the Controller's assessment;

- i) the right to withdraw consent — if the data are processed on the basis of consent, the data subject has the right to withdraw it at any time, which, however, does not affect the lawfulness of the processing carried out before the withdrawal of that consent;
  - j) the right to complain — if the processing of Personal Data is deemed to violate the provisions of the GDPR or other data protection laws, the data subject may file a complaint with the President of the Office for Personal Data Protection (Prezes Urzędu Ochrony Danych Osobowych).
2. A request for the exercise of the rights of data subjects may be submitted:
    - a) in writing by sending a letter to: Narf sp. z o.o., Al. Jana Pawła II 27, 00-867 Warszawa;
    - b) by e-mail to the address provided on the Website.
  3. The request should, as far as possible, indicate precisely what the request concerns, in particular:
    - a) what entitlement the person making the request wants to exercise;
    - b) what processing the request relates to (e.g., use of a specific service or functionality within the Service);
    - c) what processing purposes the request relates to (e.g., analytical purposes).
  4. If the submitted request is formulated in such a way that it is not possible to determine its content or for other reasons it is not possible to fulfill the request, the Controller will request additional information from the requester.
  5. The request will be answered within 1 month from its receipt. If it is necessary to extend this period, the Controller will inform the applicant of the reasons for such extension.
  6. The response will be provided to the e-mail address from which the application was sent, and in the case of applications sent to the Controller's registered office address — by letter to the address indicated by the applicant, unless the content of the letter indicates a desire to receive a response to the e-mail address.

## § 7 Cookies

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1. The Website uses "cookies" — small text files stored on the User's device that enable the proper functioning of the Service.
2. Cookies are used for the following purposes:
  - a) maintaining the User's session after logging in;
  - b) remembering User preferences;
  - c) analytical purposes to understand how Users interact with the Website;
  - d) ensuring the security of the Service.
3. The User may manage cookies through their browser settings, including blocking or deleting cookies. However, blocking certain cookies may affect the functionality of the Service.
4. Detailed information about the types of cookies used and their purposes is available in the Cookie Policy on the Website.

## **§ 8 Security of Personal Data**

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1. The Controller implements appropriate technical and organizational measures to ensure the security of Personal Data, including protection against unauthorized access, loss, destruction, or damage.
2. All data transmissions are encrypted using SSL/TLS protocols.
3. Access to Personal Data is limited to authorized personnel who require such access to perform their duties.
4. The processors listed in § 4 are contractually obligated to implement appropriate security measures in accordance with the GDPR.

## **§ 9 Final Provisions**

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1. The content of the Policy may be amended at any time by publishing a new version on the Website.
2. Users will be notified of significant changes to the Policy by e-mail or through the Service interface.
3. The Policy shall be governed by the laws of the Republic of Poland.
4. In matters not regulated by the Policy, the relevant provisions of Polish law and GDPR shall apply.