

# Privacy Policy

GEM S.A is committed to respecting your privacy and the confidentiality of your personal data.

This Privacy Policy is designed to assist you in understanding how GEM S.A uses and safeguards the information you provide in using Mobile GEM S.A internet communications, GEM S.A websites and/or GEM S.A software solution.

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## 1. WHAT INFORMATION DOES GEM S.A COLLECT AND USE?

GEM S.A may gather and use information about you, including (but not limited to) information in the following categories:

- (a) Identification data (e.g. name of hotel/group, job tittle, first name, last name, address, telephone number, mobile number, email address);
- (b) Profile information (e.g. language preference and any information that you choose to make available to others as part of your GEM S.A user profile as further described in Section 5);
- (c) Electronic identification data (e.g. IP addresses, cookies);
- (d) Banking and payment information (e.g. credit card information, account number);
- (e) Call quality and survey results;
- (f) Information about your usage of and interaction with GEM S.A software, products, and websites (including computer, platform, device and connection information, client performance information, error reports, device capability, bandwidth, statistics on page views, and traffic to and from our websites, browser type and usage statistics);
- (g) Products or services ordered and delivered;

## 2. HOW DOES GEM S.A USE THIS INFORMATION AND FOR WHAT PURPOSE?

Our primary purpose in collecting information is to provide you with a safe, smooth, efficient, and customized experience. GEM S.A collects and uses, or has third party service providers acting on GEM S.A behalf collecting and using, personal data relating to you, as permitted or necessary to:

- provide GEM S.A software, change and customize GEM S.A features and functionality;
- take, process or deliver orders made via our websites, invoice you or notify you of the status of your order;
- provide other services for you;
- provide you with customer support and troubleshoot problems;
- compare information for accuracy;
- inform you about service updates and faults;
- request feedback or participation in on-line surveys;
- resolve disputes;
- verify your identity;
- customize, measure, and improve GEM S.A software and websites;
- improve our search functionality and help you find and contact other GEM S.A users more easily and accurately;
- organise and carry out GEM S.A marketing or promotional operations/offers, contests, games and similar events; and
- protect your and GEM S.A's interests, including in particular to enforce our Terms of Service and prevent and fight against fraud, (together, the Purposes).

### 3. OUR DISCLOSURE OF YOUR PERSONAL INFORMATION

Except as provided below, GEM S.A will not sell, rent, trade or otherwise transfer any personal data outside its controlled subsidiaries and affiliates without your explicit permission, unless it is obliged to do so under applicable laws or by order of the competent authorities. Please note that information that you voluntarily make public in your user profile, or which you disclose on forums, discussions boards or by posting comments will be publicly available and viewable by others.

GEM S.A may disclose personal information to respond to legal requirements, exercise our legal rights or defend against legal claims, to protect GEM S.A's interests, fight against fraud and to enforce our policies or to protect anyone's rights, property, or safety.

In order to provide you with GEM S.A products you have requested, GEM S.A may sometimes, if necessary, share your personal and traffic data with GEM'S group companies, partner service providers and/or agents. For example the hosting services providers such as Microsoft Azure, distributors of GEM S.A software and/or GEM S.A products, and/or the third party banking organizations or other providers of payment, or customer support. GEM S.A will always require these third parties to take appropriate organizational and technical measures to protect your personal data and traffic data and to observe the relevant legislation.

GEM S.A, GEM S.A local partner, may provide personal data, communications content and/or traffic data to an appropriate judicial, law enforcement or government authority lawfully requesting such information. GEM S.A will provide reasonable assistance and information to fulfill this request and you hereby consent to such disclosure.

Information that is collected by or sent to GEM S.A may be stored and processed in the United States or any other country in which GEM S.A or its affiliates, subsidiaries, or service providers maintain facilities. In this regard, or for purposes of sharing or disclosing data in accordance with this article 4, GEM S.A reserves the right to transfer information outside of your country. By using GEM S.A software, GEM S.A's websites or GEM S.A products you consent to any such transfer of information outside of your country. If GEM S.A or substantially all of its assets were to be acquired by a third party, personal information of GEM S.A users will generally be one of the transferred business assets. We reserve the right to include your personal information in any such transfer to a third party.

### 4. WHAT ARE COOKIES AND GIFS HOW DOES GEM S.A USE THEM?

By using GEM S.A's websites and/or software you are giving your consent to the use of cookies. You can choose to reject cookies at any time, either by changing your browser settings (if your browser permits) or by ceasing to use GEM S.A's websites and/or software or by using the applicable opt-out functions. You should be aware that certain features are only available through the use of cookies and if you choose not to accept cookies, such features may not be available to you.

#### 4.1 What are Cookies and GIFs?

##### 4.1.1. Cookies

Cookies are small files containing a string of characters (text) that are sent to your browser from a website's server. The cookie may contain a unique identifier but it does not contain personally identifiable information such as your name or email address. GEM S.A may use cookies when you visit its websites, use GEM S.A's software or visit other websites where GEM S.A serves advertisements. The browser of the GEM S.A software client or your Internet browser stores the cookie on your computer's hard drive and this may be accessed by the website during your next visit. Other websites may also send cookies to your browser but your browser will not allow those websites to see GEM S.A's cookie data.

##### 4.1.2. Gifs

GEM S.A web pages and client interfaces may include clear gifs, also known as web-beacons and tracking pixels. Gifs are tiny graphics with a unique identifier, which are used to count your visits to the page (but which do not retain any personally identifiable information). In addition, GEM S.A

uses clear gifs in our HTML-based emails to let us know which emails have been opened and acted upon. This allows us to gauge the effectiveness of certain communications and the effectiveness of our marketing campaigns.

## 4.2 What type of Cookies does GEM S.A use?

GEM S.A uses session cookies, persistent cookies and local shared objects (flash cookies).

**Session cookies** are temporary cookies, or unique identifiers associated with your browser for the duration of your visit to GEM S.A's websites or area of the GEM S.A software client. Once you close your browser, the session cookie ID will disappear and information about your visit is not retained.

**Persistent Cookies** remain on your browser even after you close it and may be used by your browser on subsequent visits to the website.

**Local Shared Objects** or 'Flash Cookies' are cookies written with Adobe flash technology. These cookies are saved on your computer in the same way as other cookies but they cannot be managed at browser level in the same way.

## 4.3 How GEM S.A uses Cookies

GEM S.A uses its own cookies for a variety of purposes, including to:

1. recognize you when you sign in and understand how you arrived at our website, so we can make sure that we provide you with relevant customer content and information. For example:

- if you arrived at our website by clicking on a link to hear about US subscription packages, we can make sure you see content relevant to those offers;

2. remember your chosen preferences, such as:

- the language you choose to see our website in;
- the currency you wish to see our prices in;

3. fight against fraud;

4. inform GEM S.A about the version of the GEM S.A software client you are using so that we can provide you with new software updates and direct you to the relevant help sections;

5. enable you to access your account and account services through the GEM S.A Software client;

6. provide internal and customer analytics and gain statistics and metrics about our websites, such as total number of visitors and page views;

7. monitor the effectiveness and performance of our advertising and marketing campaigns and carry out research in order to help us to improve our products and websites;

8. initiate security measures such as 'time-out' when you have not logged into your account service area for a period of time;

9. populate your GEM S.A client with one of your GEM S.A contacts' information, where this contact invited you to join GEM S.A;

10. deliver video content to you;

11. provide GEM S.A ads most relevant to you when you visit other sites that display GEM S.A ads.

## 4.4. Third Party Content

Sometimes, GEM S.A's websites may include widgets or embedded video content from third parties such as YouTube. When you view this content or use this widget, you may be accepting cookies from these websites. These cookies are not within our control and you should check with the relevant third party site for more information.

## 4.5 Your Choices about Cookies

We don't recommend that you restrict or block cookies as this may impact on the functionality of our websites and products. However, if you choose to do so, please see the options available to you below. You can also find comprehensive information about cookies at [www.aboutcookies.org](http://www.aboutcookies.org).

## 4.5.1 Browser Cookies

The Help option on the toolbar of most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, how to delete cookies or how to disable cookies altogether.

## 4.5.2 Local Shared Objects (Flash Cookies)

You can manage the usage of flash cookies via [http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html).

You may also manage flash cookies through your browser depending on how recent the version of Internet Explorer (or other browser) and media player you are using. Please also visit the Adobe website at <http://kb2.adobe.com/cps/526/52697ee8.html>

# 5. YOUR USER PROFILE

Your user profile is the information provided by you at registration or later which is displayed in your GEM S.A profile in the GEM S.A software client, in the GEM S.A search directory and on your personal details page in your account on [www.mobile-simple.com](http://www.mobile-simple.com). It may include your GEM S.A username, name of hotel property/group, full name, address, telephone and mobile numbers, gender, country, language, and any other information that you decide to make available. You can access your user profile from the "GEM S.A" menu in the GEM S.A software client or from your account on [www.mobile-simple.com](http://www.mobile-simple.com) in order to view, correct or complete information, remove non-mandatory information; and to see the privacy settings associated with your profile information.

# 6. LINKED WEBSITES AND THIRD PARTY APPLICATIONS

GEM S.A websites may contain links that will let you leave GEM S.A's website and access another website. Linked websites are not under the control of GEM S.A and these websites have different privacy policies. The GEM S.A Privacy Policy applies solely to personal information that is acquired on the websites or through your use of the GEM S.A software, GEM S.A products and/or your relationship with GEM S.A, so GEM S.A urges you to be careful when you enter any personal information online. GEM S.A accepts no responsibility or liability for these other websites.

If you use any extras, plug-ins or third party applications together with the GEM S.A software or use any third party applications or products that incorporate or embed the GEM S.A software ("Applications"), the provider of such Applications may obtain access to certain personal information about you. GEM S.A does not and cannot control how the provider of Applications may use any personal information connected in connection with such Applications. Please ensure that you review any privacy policies or other terms applicable to the use of such Application before installation.

# 7. HOW DOES GEM S.A PROTECT YOUR PERSONAL INFORMATION?

GEM S.A will take appropriate organizational and technical measures to protect the personal data and traffic data provided to it or collected by it with due observance of the applicable obligations and exceptions under the relevant legislation. Your personal and traffic data can only be accessed by authorized employees of GEM S.A or its affiliates, subsidiaries or service providers who need to have access to this data in order to be able to fulfill their given duties.

# 8. PERSONAL DATA OF HOTELIERS

You may be interested in inviting other hoteliers to join GEM S.A. In the event you wish to use GEM S.A's referral service, you will be directed to a webpage and will have the possibility of adding one or more email addresses in an online form. The information entered in this form, will only be used for the purposes of automatically generating an email message to these potential GEM S.A users. By entering other hoteliers' email address you are confirming that the hotelier has consented to the supply of their details. GEM S.A may identify you as the person who has made the referral in the invitation sent to your friend and will include your name, email address and/or phone number in such invitation.

# 9. CONTACTING YOU

GEM S.A may from time to time ask you to provide information on your experiences which will be used to measure and improve quality. You are at no time under any obligation to provide any of such data. Any and all information which is voluntarily submitted in feedback forms on the website or any survey that you take part in is used for the purposes of reviewing this feedback and improving the GEM S.A software, and GEM S.A and other GEM S.A products and websites.

GEM S.A may contact you to send you messages about faults and service issues. Further, GEM S.A reserves the right to use email, the GEM S.A software or SMS to notify you of any eventual claims related to your use of GEM S.A software, the GEM S.A websites and/or GEM S.A products, including without limitation claims of violation of third party rights.

## 10. HOW CAN YOU ACCESS OR AMEND YOUR PERSONAL DATA?

You have the right to access and, where relevant, to amend your personal information. Some of your information may be viewed or edited online by signing into your account page on [www.Mobile-Simple.com](http://www.Mobile-Simple.com). We will respond to requests to view, correct, complete or remove your personal information within a reasonable period of time and upon verification of your identity.

GEM S.A will use all reasonable endeavours to accommodate requests to delete personal information unless it is required to be retained by law or for lawful business purposes.

## 11. HOW LONG IS YOUR PERSONAL DATA KEPT BY GEM S.A?

GEM S.A will retain your information for as long as is necessary to: (1) fulfill any of the Purposes (as defined in article 2 of this Privacy Policy) or (2) comply with applicable legislation, regulatory requests and relevant orders from competent courts.

Retention of Instant Messages, Voicemail Messages, and Video Messages (GEM S.A internet communications software application only)

## 12. CHILDREN

GEM S.A's websites and software clients are not intended for or designed to attract users under the age of 16. We encourage parents to be involved in the online activities of their children to ensure that no information is collected from a child without parental permission.

## 13. CAN THIS PRIVACY POLICY BE MODIFIED?

GEM S.A will occasionally update this Privacy Policy to reflect changes in our software and/or products and customer feedback. When we post changes to this Privacy Policy at [Privacy Policy](#) we will update the "last revised" date at the bottom of the Privacy Policy. If there are material changes to this Privacy Policy or in how we will use your personal information, we will notify you either by prominently posting a notice of such changes prior to implementing the change or by directly sending you a notification. You agree that your continued use of the GEM S.A software or GEM S.A products after notice shall constitute your acceptance of the Privacy Policy. We encourage you to periodically review this Privacy Policy to be informed of how GEM S.A is collecting, using, and protecting your information.

## 14. HOW CAN YOU CONTACT GEM S.A?

To contact us :  
Tel : +1 800 467 5892 Toll Free  
Tel : + 1 702 998 3675  
Email: [support@Mobile-Simple.com](mailto:support@Mobile-Simple.com)

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