

# Privacy Policy

## Kitch Services Clients

**Last updated: 16 April 2021**

In our mission to give back to restaurants the control of their digital orders, Kitch is committed to transparent, robust, and secure privacy policies.

We seek to create and develop our relationship with restaurants based on trust. To that end, we are governed by three fundamental values.

**The restaurant's information belongs to the restaurant.** We seek to limit the information we collect from the restaurant to the absolute necessary for us to provide our services. We believe that restaurant information belongs to the restaurant and, once Kitch uses that information, we seek to do it in the ultimate benefit of the restaurant.

**We protect the restaurant's information from third parties.** We never sell personal information to anyone. If a third-party requests access to the restaurant's information we will refuse the request unless we have permission from the restaurant or are legally required to do so. If we are legally required to share personal information from the restaurant, we will inform the restaurant in advance, unless we are legally prohibited from doing it.

**We seek to help restaurants comply with privacy obligations.** At Kitch, we strive to build our products and services so that they can be used in a way that respects privacy regulations. In our product Store, we have included a privacy policy that tells the final consumer how their personal information may be collected, used, and shared by Kitch or the restaurant.

Throughout this Privacy Policy, we will use the terms "**Kitch**," "**we**," "**us**," "**our**" indistinctly about Kitch as defined in clause 1. We will also use the terms "**Client**", "**restaurant**", "**its**", "**their**" indistinctly about the Client as defined in provision 1.

This Privacy Policy is intended to explain how Kitch collects, uses, and shares Clients personal information. If we change our privacy practices, we may update this Privacy Policy. If there are significant changes, we will inform restaurants through the Kitch website or by email.

**For your convenience, we have included plain language summaries in bold at the end of each section. However, these summaries are not legally binding and may be incomplete.**

## 1. About Kitch and information processing

KITCH, UNIPessoal, LDA., ("**Kitch**") is a single-member private limited company under Portuguese law, with registered office at Rua Odette de Saint-Maurice, 3A 1700-921 Lisbon, civil parish of Alvalade, council area of Lisbon, with tax identification number 515551805.

Kitch aims to provide a technology platform ("**Kitch Platform**") to restaurants, bars, and other businesses associated with the production and sale of food and beverages (collectively, "**Clients**"), enabling them to market goods and services to final consumers ("**Buyers**") through digital channels, focusing on the Client's simplicity, efficiency, and profitability. Kitch Platform includes, among other features, the creation of digital channels with the Client's brand for direct marketing to final consumers ("**Stores**"), an order management system ("**Connect**"), and of menus and settings ("**Dashboard**") for the Stores and/or channels managed by third parties ("**Channel Partners**") or a logistics centre for the delivery of goods to Buyers ("**Delivery**").

Kitch shall act in accordance with the General Data Protection Regulation No. 2016/679 of the European Parliament ("**GDPR**") and Portuguese Law No. 58/2019, of August 8, which implements the European Union's GDPR in the Portuguese territory (together "**Personal Data Protection Legislation**").

Kitch is the controller and processor of personal data relating to the Client, processed in connection with the provision of our services, in accordance with the definitions contained in GDPR. Kitch and the Client are joint controllers in relation to the personal data processed for the performance and fulfilment of transactions made by Buyers with the Client through the Kitch Platform.

Kitch is a wholly owned subsidiary by Kitch Technologies Ltd ("**Parent Company**"), an English law company, with registered office at 3rd Floor, 1 Ashley Road, Altrincham, Cheshire, WA14 2DT, registered under the number 12144692.

### THIS MEANS

**Kitch complies with the Personal Data Protection Legislation.**

## 2. What information we collect and why

Kitch collects personal information from the Client, from the person responsible for the Client's Kitch account who will be the contracting party with Kitch ("**Representative**"), and from other users of the Client's account where applicable ("**Users**"), whenever they use our platform or provide information to Kitch.

In general, Kitch requires this information so that the Client, the Representative, and the Users can use our Platform.

What information we collect	How we use this information
<p><b>Personal information provided by the Client.</b> This information may relate to the Client (e.g., company name, trademark, address, tax ID, website address, social media profile addresses), to the Representative (e.g., name, phone number, email address), and to the Users (e.g., name, email address).</p>	<ul style="list-style-type: none"> <li>● To provide access to the Representative and the Users associated with the Client's account (e.g., to validate identities, contact if necessary, or send invoices).</li> <li>● To transfer to the Client the amounts resulting from the sales in its Stores.</li> <li>● To personalize and contribute to the projection of the Client's store.</li> <li>● To communicate products or services that may be suited for the Client.</li> <li>● To comply with legal requirements.</li> </ul>
<p><b>Bank information provided by the Client.</b> This information includes details of the Client's bank account (e.g., IBAN, bank name, SWIFT code), or the Client's credit or debit card number.</p>	<ul style="list-style-type: none"> <li>● To transfer to the Client the amounts resulting from the sales in its Stores.</li> <li>● To charge the Client the amounts due to us for the use of our services.</li> </ul>
<p><b>Personal Client information collected automatically.</b> We automatically collect certain information when you use the Kitch Website or Platform. This information does not explicitly reveal your identity, such as</p>	<ul style="list-style-type: none"> <li>● To provide you with access and to improve your user experience in our platform and related services.</li> <li>● To customize our Platform for you.</li> </ul>

<p>your name or contact information, but may include information about the device and browser you use, network connection, IP address and details about how you navigate our Website and Platform. We collect some of this information using "cookies" or other similar technologies.</p>	<ul style="list-style-type: none"><li>• To communicate and advertise products and features that may be of use to you.</li></ul>
---	---

### **THIS MEANS**

**Kitch collects personal and banking information from the Client to provide access to its services, to customize and adapt its services, to process payments and charges for use of the services, and to comply with legal obligations. Kitch also automatically collects information about the Client's use of its services on an anonymous basis.**

**Kitch also automatically collects information about Client's use of our Platform to provide access and to improve the user experience of our services.**

## **3. How we keep your information secure**

The security of your personal information is important to us.

Kitch has implemented various measures to guarantee that information is adequately protected against unauthorized access, use, disclosure, and destruction. However, we cannot guarantee the complete security of information submitted over the Internet, even though we will use our best efforts to protect your personal information.

Some security measures adopted by Kitch include:

- The access to the information collected by Kitch is restricted to a limited number of Kitch employees;
- We use industry best practices to keep all information collected by Kitch secure. Kitch website and Platform are protected by SSL cryptographic protocols, which ensure the encryption of all transmitted information;
- Each Client only has access to its own information and the information of its respective Buyers;

- For processing debit and credit card payments, Kitch uses a third-party provider that complies with PCI DSS standards.

#### **THIS MEANS**

**Kitch seeks to keep your personal information secure through a range of technical and organizational measures.**

## **4. When and why we share your information with third parties**

To give our Clients the best experience, we work with several companies that provide various services to help us support your business. Sometimes, we share your personal information with these companies for the proper operation and delivery of our services.

We also share your personal information with others in the following cases:

- To prevent or investigate cases of suspected fraud, physical security threats, illegal activity, or violations of contracts (such as our Terms of Service) or our policies (such as our Acceptable Use Policy);
- To assist us and carry out advertising and marketing activities;
- To comply with legal requirements, or to respond to court orders or other similar governmental requests;
- With the Parent Company and Kitch subsidiaries;
- In the event of a merger of Kitch with another company or if Kitch is acquired by another company.

Additionally, Clients may use services not provided by Kitch to support their business (for example, applications and integrations we provide on Kitch Platform, or express deliveries or city logistics companies).

Kitch does not control how these services use your personal information. You should always guarantee that these services meet your expectations and privacy needs.

#### **THIS MEANS**

**Kitch works with other companies to provide Kitch services to you and will share your personal information with those companies. If you use services not provided by Kitch, even if they are applications or integrations made available by Kitch, you should verify with those service providers that their privacy policies meet your expectations.**

## 5. Your rights about your information

Kitch believes that you should be able to access and control your personal information regardless of where you reside. You may access and change your personal information directly on the Kitch Platform. If there is information that you cannot access and change directly on the Kitch Platform, you should contact Kitch by email at [privacy \[at\] kitch.io](mailto:privacy@kitch.io).

Kitch needs the Client's personal information to provide Kitch services to you. For this reason, Kitch generally keeps your personal information when you use Kitch products or services. If you cancel your account with Kitch, stop paying Kitch Platform access subscriptions, or if we close your account, Kitch may retain the Client's information for two years before the personal information purging process is initiated. Kitch does not initiate this purging of information immediately in case you wish to reactivate your account, or if there is an audit or legal claim related to your business.

If the Client contacts Kitch to delete personal information or withdraws its consent to the collection and processing of personal information, Kitch will process the elimination of this information no later than 30 days after the receipt of the request, unless Kitch is legally required to retain specific information for a longer period. In doing so, the Client understands and accepts that Kitch will have to terminate its account and its access to Kitch Services.

Finally, Kitch will not sell your personal information.

### **THIS MEANS**

**The Client has the right to access and control its personal information. The Client may revoke its consent to Kitch to control and process its information, and may review, change, and terminate its account with Kitch at any time.**

## 6. Use of cookies and similar technology

Kitch uses cookies (small pieces of text stored on your computer by your browser when you access our website or our Platform) and similar tracking technologies such as "web beacons" and "pixels" to collect and store your information.

Kitch may use session cookies and persistent cookies to recognize you when you access our website or Platform. Kitch may also use cookies to monitor aggregate usage and traffic on our website to guarantee that our services are not overloaded.

For more information on how Kitch uses these technologies, including a list of other companies that make use of cookies on our website, please see our [Cookie Policy](#).

#### **THIS MEANS**

**We use cookies and other tracking technologies to collect and store your information.**

## **7. Buyers Information**

To provide our services, enabling the Client to market goods and services to Buyers using its digital channels, Kitch collects and uses personal information from its Buyers.

Kitch will not use your Buyers information outside the scope of the services it provides to you and will not undertake any independent advertising or marketing efforts unless your Buyers are also directly Kitch Clients. Your Buyers information will not be sold.

The Client decides how its Buyers personal information is used and shall guarantee that its Buyers understand and accept the way the Client (and Kitch, on behalf of the Client) collects and processes their personal information.

At the time of their creation, Kitch provides a standard privacy policy of its Stores to its Buyers ("**Store Privacy Policy**"). The Client is responsible for reviewing and analysing whether this Store Privacy Policy meets your expectations and adequately reflects how your Clients' personal information will be collected, processed, and shared. If you need to make any changes to the Store Privacy Policy, please contact us at [privacy \[at\] kitch.io](mailto:privacy@kitch.io).

#### **THIS MEANS**

**To provide you with our Services, we collect and process information from your Buyers. We will not use your Buyers data outside the scope of the Services we provide to you. We provide a standard Privacy Policy for your Stores, which you should review and accept to guarantee that it reflects how you use and treat your Buyers information.**

## **8. How to contact Kitch about this policy**

If you have any questions, requests, or complaints about the way Kitch processes your personal information, you may contact us by email at [privacy \[at\] kitch.io](mailto:privacy@kitch.io), or by postal mail sent to:

Kitch, Unipessoal, Lda  
Rue Odette de Saint-Maurice 3C, Shop 1, Lot 3A,  
1700-093 Lisbon  
Portugal

### **THIS MEANS**

**You can always contact us with any questions you have about this Privacy Policy and how we collect and treat your personal information.**