

PRIVACY POLICY PURSUANT TO ART. 13 EU REGULATION 2016/679

SUNNYBIKER APP

Introduction

This information notice is provided by **Sunny Biker S.r.l.** (hereinafter, the “**Data Controller**” or “**SunnyBiker**”), as Data Controller, to inform users of the SunnyBiker application (hereinafter, the “**App**”) regarding the methods of collection, use, and protection of their personal data. SunnyBiker is a community for motorcycling enthusiasts, and this notice describes the processing activities of personal data collected via the App in a transparent and complete manner, ensuring the protection of the rights and freedoms of data subjects in compliance with EU Regulation 2016/679 (“**GDPR**”).

Data Controller

The Data Controller for personal data is **Sunny Biker S.r.l.**, with registered office at Via della Guastalla n. 5 – 20122 Milan (MI), Italy, VAT No. IT13375310961. You may contact the Controller by writing to the e-mail address: amministrazione@sunnybiker.com.

Scope of Application

This policy refers exclusively to data collected through the SunnyBiker App. It does not apply to data collected through other external channels, for which specific notices are provided. The App and its related services are intended solely for **adults (18 years or older)**. Use by minors is prohibited. Should the processing of personal data of individuals under the age of 18 be detected, such data will be promptly deleted.

Use of Artificial Intelligence Systems

The SunnyBiker App uses a third-party artificial intelligence system (hereinafter, “**AI System**”) to allow users to perform searches within the App using natural language (prompt-based search functionality) to plan travel itineraries. When the user uses the prompt search function, the entered prompt text is transmitted to the AI System to process the response. Based on the request prompt, the system will propose an itinerary that the user may choose to accept or modify. The prompt may contain personal data voluntarily entered by the user: in this regard, the user is advised **not to enter** their own or third-party personal data in the search field that is not strictly necessary for the search (e.g., do not enter: first and last name, address, telephone number, credit card details, health data, or other special categories of data under Art. 9 GDPR). The Controller adopts technical and organizational measures to identify and eliminate any personal data contained in prompts but cannot guarantee real-time filtering of every piece of information entered by the user. The user is free not to use this functionality without affecting access to other App services.

Source of Data

The processed personal data is collected directly from the data subject through:

- Filling out the registration form and using the App features, including any purchase of subscriptions;
- Use of the App, which automatically generates usage data (e.g., access logs, browsing history);
- Interaction with e-mails or messages related to the App.

Additionally, the Controller may automatically collect other information: following the download and installation of the App, the mobile device model, as well as the type and version of the operating system used, are automatically detected. This information helps us provide the requested performance, manage the App, analyze its use, protect the App and its content from inadequate or inappropriate use, and improve the User

experience. Please also note that the computer systems and software procedures of third parties responsible for the operation of the App (including but not limited to Apple Store, Google Play) may acquire, in providing their services, certain data referable to the user, the transmission of which is implicit in the use of internet communication protocols, smartphones, and devices used. The Controller is not involved in such processing, which is carried out independently and exclusively by the respective Data Controllers, nor can it be held responsible for it. Therefore, you are invited to consult the privacy policies published on said platforms beforehand:

- **App Store:** <https://www.apple.com/legal/internet-services/itunes/it/terms.html>
- **Google Play:** https://play.google.com/intl/en_en/about/play-terms.html

Purposes, Legal Basis, Personal Data, and Retention Period

Purpose	Legal Basis	Personal Data	Description	Retention
Registration and App Access	Art. 6(1)(b) GDPR - Performance of a contract	✓ E-mail	Allow access and registration to the App with chosen credentials	For the duration of the App membership and until account deletion by the user
Enabling App Use	Art. 6(1)(b) GDPR - Performance of a contract	Mandatory: ✓ Name and Surname ✓ User ID Username Optional: ✓ User profile photo ✓ User cover photo	Allow the use and correct functioning of the App, permitting concrete participation in the SunnyBiker community and enabling typical social networking features (profile characterization to find affinity with other bikers)	For the duration of the App membership and until account deletion by the user
AI Search (prompt)	Art. 6(1)(b) GDPR – Performance of a contract	Prompt text entered by the user (may contain personal data only if voluntarily entered)	Enable the natural language search functionality within the App, processed by an AI system	Prompts are kept for a maximum of 15 days, with immediate deletion of personal data contained therein, unless technically impossible (in which case even this data is deleted within the 15-day limit)

In-App Subscription Purchases	Art. 6(1)(b) GDPR - Performance of a contract; Art. 6(1)(c) GDPR - Compliance with legal/tax obligations	✓ Name and Surname ✓ Residence, tax, and payment data	Manage the purchase of subscriptions and paid services within the App, including the issuance of mandatory tax documents	For the duration of the subscription and for the following 10 years until the tax return to which the documents refer
Sending Newsletters	Art. 6(1)(a) GDPR - Consent	✓ Name and Surname ✓ E-mail	Sending offers and marketing communications	Until withdrawal of consent
Profiling	Art. 6(1)(a) GDPR - Consent	✓ Data from registration/use (e.g., age, gender, language, preferences) ✓ App interaction data (frequency, actions, places visited)	Personalize User experience, propose targeted content/offers or suggest services in line with interests and habits	Until withdrawal of consent
Geolocation	Art. 6(1)(a) GDPR - Consent	Real-time geographic position of the device (only start point, end point, and waypoints)	Improve User experience by offering location-based features: route suggestions, event/POI alerts, sharing position with others, contextual notifications	Until withdrawal of consent and in any case until account deletion
Fraud Prevention & Legal Defense	Art. 6(1)(f) GDPR - Legitimate interest	✓ Data provided by user and App usage data	Detect and prevent fraudulent activities and protect the Controller's rights	Until account deletion, or longer if legal requests are received from Authorities

Export to Sheets

Nature of Data Provision and Consequences of Failure to Communicate

Mandatory Data. Provision of data is mandatory for:

- Registration and App access;
- Enabling App use;
- Fraud prevention and rights protection.
- **Consequences:** Without this data, it will not be possible to access the community or use the App services.

Optional Data. Provision is optional for:

- **Profile Customization:** (e.g., photos, age, bio). Failure to provide this means the user can use the App but will not utilize its full social networking potential.
- **Profiling:** Used to personalize content and offers.
 - *Legal Basis:* Explicit consent.
 - *Consequences:* Refusal does not affect App use but limits personalization. No automated decision-making under Art. 22 GDPR is involved.
- **Geolocation:** Used for location-based features.
 - *Legal Basis:* Explicit consent via OS (Android/iOS).
 - *Consequences:* Refusal prevents access to location-based features.
- **Newsletters:** Promotional communications.
 - *Consequences:* Refusal prevents receiving offers but does not affect App use. Consent can be withdrawn at any time.

Categories of Data Recipients

Data may be disclosed to companies, consultants, or professionals used by the Controller for technical or organizational tasks (e.g., hosting providers, AI service providers, technical support Bot providers). These parties act as **Data Processors** (Art. 28 GDPR). An updated list is available upon request. Data may be processed in **aggregate and anonymized form** for commercial purposes, ensuring third parties cannot identify the User.

Data Transfer to Third Countries

Personal data is generally not transferred outside the EU. If the AI System provider or other Processors are based outside the EU, the transfer will comply with Articles 45 and 46 of the GDPR (e.g., Adequacy Decisions or Standard Contractual Clauses).

Processing Methods

Processing is carried out using electronic or automated means designed to store, manage, and transmit data securely. Data is limited to what is necessary for the purposes specified. A **DPIA (Data Protection Impact Assessment)** has been performed for this App.

Exercise of Data Subject Rights

Data subjects may exercise rights under Arts. 15-22 of the GDPR:

- **Access (Art. 15):** Know which data is processed;
- **Rectification (Art. 16):** Correct inaccurate data;
- **Erasure (Art. 17):** "Right to be forgotten";
- **Restriction (Art. 18):** In cases of dispute or unlawful processing;
- **Portability (Art. 20):** Receive data in a structured format;
- **Objection (Art. 21):** Object to processing for legitimate reasons or marketing;
- **Automated Decision-making (Art. 22):** Right not to be subject to decisions based solely on automated processing;
- **Withdrawal of Consent (Art. 7):** At any time.

The Controller will respond within 30 days. For more info, see www.garanteprivacy.it.

Right to Lodge a Complaint

Users have the right to lodge a complaint with the **Italian Data Protection Authority (Garante per la protezione dei dati personali)** if they believe their rights have been violated.

Changes to This Policy

The Controller reserves the right to update this policy at any time. Substantial changes will be communicated via App notifications or e-mail. Users are advised to check this section periodically.