

Privacy Policy for Oxama website, app and wearable devices.

Last Updated: Aug, 2022

Your privacy is important to Oxama. We developed this Privacy Policy to provide you with information on how we process your personal data when you use the Oxama website, app and wearable devices. Other Oxama websites, apps and products that do not include a link to this Privacy Policy and include a link to a different Oxama privacy policy are governed by that privacy policy. For example, we have a separate privacy statement that applies to our Oxama payment service.

“Personal data” is information relating to an identified or identifiable natural person.

Categories of Personal Data Processed by Oxama

Personal data that is processed when you create a Oxama account:

When you create a Oxama account, we ask you to provide your email address and name. You can choose to provide only your first name or a nickname instead of your full name if you wish.

Purposes and Legal Grounds:

- (a) Oxama processes your email address because you use your email address and your password to sign in to your account. The legal ground for processing your email address for this purpose is based on Oxama’s legitimate interest in protecting the security of your account.
- (b) Oxama also processes your email address for the purpose of sending you important information about your Oxama products, apps or account, such as important safety information or material changes to this Privacy Policy.
- (c) If you provide your opt-in consent to receiving marketing information from Oxama, Oxama will also process your email address for the purpose of sending you marketing information about Oxama products and apps. The legal ground for processing your email address for this purpose is your consent. You may withdraw your consent at any time by changing your preferences in your Oxama account or through the unsubscribe link at the bottom of our marketing emails. The marketing emails you receive from Oxama are based on the preferences you provide in your Oxama account, the locale indicated by your Internet Protocol (IP) address, the types of Oxama devices you have added to your Oxama account, and any subscriptions included in your Oxama account. The legal ground for processing this data for this purpose is Oxama’s legitimate interest in reducing the number of marketing emails sent to each particular customer by selecting which customers receive a particular marketing email rather than sending every marketing email to every customer who has consented to receiving marketing emails.
- (d) If you provide your opt-in consent, Oxama will process your email address for the purpose of sending you notifications. The legal ground for processing your email address for this purpose is your consent. You can withdraw this consent at any time by opting-out of receiving such notifications.

(e) Oxama also processes your email address to associate it with your Oxama account when you interact with our customer support representatives. The legal ground for this processing is our legitimate interest in providing quality customer support.

[Additional personal data that is processed if you choose to provide it when you create a Oxama account:](#)

You can add additional information to your profile, such as your location, types of activities you participate in (e.g., freediving discipline, experience, etc.), and your gender, birthdate, height and weight.

Purposes and Legal Ground:

This information is used to calculate biometric parameters during an activity. The legal ground for processing this information for these purposes is your consent. You can withdraw your consent by deleting this information from your account profile.

[Personal data that is processed when you choose to upload your activities, location and activity data to Oxama:](#)

Purposes and Legal Grounds:

(a) Oxama processes your activity data, if you choose to upload it to Oxama, to enable you to analyze your activity data, identify any Oxama devices used to collect data during the activity, see your location on your activity course and segment maps, see your heart rate or pulse oximetry related metrics, track your fitness goals, and, if you wish, share your activity data with others. If you reside in the European Economic Area, U.K. or in Switzerland, the legal ground for this processing is your explicit consent, which you can withdraw at any time within your Oxama account.

(b) If you choose to upload activity data (such as heart rate, oxygen saturation, depth, etc.) from your Oxama device to your Oxama account, then you will be presented with a statistics section in your Oxama account in which you will be provided with recommendations and motivational messages, information and links to articles that may be of interest to you based upon your activity data, and a comparison of your activity data with aggregated activity data of others in the Oxama community. If you reside in the European Economic Area, U.K. or in Switzerland, the legal ground for processing this data for this purpose is your explicit consent, which you can withdraw at any time within your Oxama account.

(c) Oxama also processes your activity data, if you choose to upload it to Garmin, in an aggregated manner to analyze usage and trends and develop or improve features and services. The legal basis for this processing is Oxama's legitimate interest in providing relevant and quality features and services.

(d) If you choose to upload your activity data to Oxama and you are opted in to product improvement, Oxama will process your activity data uploaded to your account for research and development purposes internally to help us build better and more relevant Oxama products and services. If you reside in the European Economic Area, U.K., or Switzerland, the legal ground for processing this data for this purpose is your explicit consent, which you can withdraw at any time within your Oxama account.

[Personal data that is processed when you sync your Oxama device:](#)

When you sync your device through Oxama app, we log data about the transmission, such as the IP address used when syncing, the sync time and date, crash/diagnostic logs, geographic location of the

device, information about your device, information about the network used to sync (e.g., Wi-Fi or cellular) and device battery level.

Purpose and Legal Ground:

We process this information to help identify and resolve errors or syncing issues. The legal ground for processing this information for this purpose is Oxama's legitimate interest in resolving errors or syncing issues and providing quality product support. We also process this information to analyze usage and trends and develop or improve features and services. The legal basis for this processing is Oxama's legitimate interest in providing relevant and quality features and services.

[Personal data that is processed when you communicate with Oxama:](#)

When you interact with our customer support representatives via email, telephone, online or in person, we collect personal data, such as your name, mailing address, phone number, email address and contact preferences; and information about the Oxama products you own, such as their serial numbers and dates of purchase. We also may create event logs that are useful in diagnosing product or app performance-related issues, and capture information relating to the support or service issue. To improve customer service, subject to applicable laws, we may also record and review conversations with customer support representatives, and analyze any feedback provided to us through voluntary customer surveys. With your consent, our customer support representatives may sign in to your Oxama account, if appropriate, to help troubleshoot and resolve your issue.

Purpose and Legal Ground:

We use this information to provide you with customer and product support and to monitor the quality and types of customer and product support we provide to our customers. The legal ground for processing this information for these purposes is Oxama's legitimate interests in providing quality product support. The legal ground for signing in to your Oxama account, if appropriate, to help troubleshoot and resolve your issue is consent, which you may withdraw.

[Personal data that is processed when you use location-based services on your Oxama device or app:](#)

If you elect to use location-based services, on your Oxama device or app, then the physical location of your device will be collected in order for Oxama or our providers to provide you with such location-based services.

Purpose and Legal Ground:

The purpose of processing the location of your device is to provide you the location-based services you wish to use. The legal ground for processing this data for this purpose is performance of a contract.

Categories of Recipients of Personal Data

[Content or feature providers; other third parties:](#)

we may share or sell activity data in a de-identified and aggregated manner with or to companies that provide Oxama and our customers with content or features for the purpose of enhancing the quality of the content or features they provide, and with or to other third parties for research or other purposes.

Third-party app, platform or service providers with whom you ask Oxama to share your data:

If you choose to authorize Oxama to permit a third party apps to access your activity data in your Oxama account, then we will share such data with the third party. We will not do this without your explicit consent. Once you direct us to share data with a third party, the third party's handling of your personal data is the responsibility of that third party and you should carefully review the third party's privacy policy.

You can choose to stop sharing data with the third-party app, platform or service provider at any time within your Oxama account.

Other service providers:

Oxama uses cloud services from third to assist in sending emails. Those services track the activities associated with these emails, such as whether they were opened, whether links in the emails were clicked on, and whether purchases were made following clicks on those links. Oxama uses this data to analyze the level of engagement with its emails.

Oxama uses third-party service providers to help us better understand usage of Oxama website and app, and for related purposes.

Other disclosures:

We may disclose personal data about you to others: (a) if we have your valid consent to do so; (b) to comply with a valid subpoena, legal order, court order, legal process, or other legal obligation; (c) to enforce any of our terms and conditions or policies; or (d) as necessary to pursue available legal remedies or defend legal claims.

We may also transfer your personal data to an affiliate, a subsidiary or a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of Oxama's business, assets or stock, including, without limitation, in connection with any bankruptcy or similar proceeding, provided that any such entity that we transfer personal data to will not be permitted to process your personal data other than as described in this Privacy Policy without providing you notice and, if required by applicable laws, obtaining your consent.

Transfers of Personal Data

When you create a Oxama account, add personal data in your account profile, or upload data to your Oxama account, your personal data will be collected and stored on servers in the U.S., UK, and/or Australia.

Cookies and Similar Technologies

Website:

To help analyze how you and other visitors navigate the Oxama website, compile aggregate statistics about site usage and response rates, help diagnose any problems with Oxama's servers and administer the Oxama website, we, with assistance from third-party analytics service providers, collect certain information when you visit our site. This information includes IP address, geographic location of the device, browser type, browser language, date and time of your request, time(s) of your visit(s), page

views and page elements (e.g., links) that you click. We may use cookies, pixel tags, web beacons, clear GIFs or other similar tools on our site or in our email messages to assist us in collecting and analyzing such information. We use this information to provide better, more relevant content on our site, to identify and fix problems, and to improve your overall experience on our site.

If you do not want information collected through the use of these technologies, there is a simple procedure in most browsers that allows you to automatically decline many of these technologies, or to be given the choice of declining or accepting them.

If you reside in the European Union or other jurisdiction that requires us to obtain your consent to use cookies on our sites, then you will have an opportunity to manage your cookie preferences on the sites; except that certain cookies are required to enable core site functionality, and you cannot choose to disable those cookies.

[Oxama mobile app:](#)

We also collect data from users about their usage of Oxama app. The types of analytical information that are collected include the date and time the app accesses our servers, app version, the location of the device, language setting, what information and files have been downloaded to the app, user behavior (e.g., features used, frequency of use), device state information, device model, hardware and operating system information, and information relating to how the app functions. Oxama uses this data to improve the quality and functionality of the Oxama app; to develop and market products and features that best serve you and other users; and to help identify and fix app stability issues and other usability problems as quickly as possible.

The legal ground for processing this analytical information is our legitimate interest in understanding how our customers interact with our products, apps and websites so we can enhance the user experience and functionality of our products, apps and websites.

[Here are examples of third-party providers of analytics and similar services we currently use:](#)

Google: Google Analytics is used to track site statistics and user demographics, interests and behavior on websites and in apps. We also use Google Search Console to help understand how our website visitors find our website and to improve our search engine optimization. Find out more information about how this analytics information may be used, how to control the use of your information, and how to opt-out of having your data used by Google Analytics.

Firebase (Crashlytics), which is a Google service, are used to help us better understand usage of Oxama apps to improve user experience and to identify and resolve the root causes of app crashes.

Privacy Policy Updates

We may update this Privacy Policy from time to time as we add new products and apps, as we improve our current offerings and as technologies and laws change. You can determine when this Privacy Policy was last revised by referring to the “Last Updated” legend at the top of this page. Any changes will become effective upon our posting of the revised Privacy Policy.

We will provide notice to you if these changes are material and, where required by applicable law, we will obtain your consent. This notice will be provided by email or by posting notice of the changes on the Oxama websites and apps that link to this Privacy Policy.

Retention of Personal Data

We will retain your personal data as long as your Oxama account is considered to be active. In addition, see below under “Your Rights” for a description of your right of erasure.

Data Controller and Data Protection Officer

Your personal data collected by Oxama is controlled by Oxama S.R.L which is located at Piazzale Giulio Cesare, 9 – 20145 Milan (Italy). The company's Data Protection Officer is located at the same address and can be reached by email at privacy@oxamadiving.com

Your Rights

If you reside in the European Union or U.K., you have the right, subject to the conditions set out in the General Data Protection Regulation (GDPR) or U.K. Data Protection Act 2018 to request from Oxama access to and rectification or erasure of your personal data, data portability, restriction of processing of your personal data, the right to object to processing of your personal data, and the right to lodge a complaint with a supervisory authority. For more information about these rights, please visit the European Commission’s “My Rights” page relating to GDPR, which can be displayed in a number of languages. If you reside outside of the European Union and U.K., you may have similar rights under your local laws.

If you live in the European Union or U.K. and you wish to exercise your right to restriction of processing or your right to object to processing, please contact the company's Data Protection Officer at Oxama S.R.L. Piazzale Giulio Cesare, 9 – 20145 Milan (Italy) or by email at privacy@oxamadiving.com.

If you do not live in the European Union, U.K., or China, but you believe you have a right to exercise these or any other rights under your local laws, please contact privacy@oxamadiving.com.

Notice for California Residents of Privacy Practices and Rights

If you are a California resident, California law may provide you with additional rights regarding your personal data. To learn more about your California privacy rights, visit the CCPA Privacy Notice.

All trademarks are the property of their respective owners.