

POLICY NOTICE

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Privacy Notice - Website

Protection of personal data under the GDPR

In accordance with the current legislation on personal data protection, Eleven Eleven Enterprises S.L. (DBA Simms and Associates / S&A), hereby informs you that the personal data collected through the forms on our website, <https://simms-associates.com/>, are incorporated into specific automated user files maintained by Simms and Associates.

The purpose of collecting and processing personal data in an automated manner is to maintain a commercial relationship and to carry out information sharing, training, consultancy, and other activities related to Simms and Associates.

We will only transfer this data to entities that are necessary for the sole purpose of fulfilling the aforementioned purpose.

Simms and Associates adopts the necessary measures to ensure the security, integrity, and confidentiality of the data in compliance with the provisions set forth in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data. This regulation repeals the previous LOPD and aligns with the new Organic Law 3/2018, enacted on 5 December, which focuses on Data Protection and Guarantee of Digital Rights (LOPDGDDD).

The user may at any time exercise their rights of access, objection, rectification, erasure, restriction, and data portability as established by the aforementioned Regulation (EU). These rights can be exercised by the user through email communication to: gdpr@simms-associates.com or by sending a written request to the following address: Calle de José Benlliure, 273, 46011, Valencia - Spain.

The user declares that all the data provided is accurate and truthful and commits to keeping it up to date by promptly notifying Simms and Associates of any changes.

For what purposes will we process your personal data?

We will process the personal data collected through our website: <https://simms-associates.com/>, for the following purposes:

- Fulfilling the company's commercial, labour, corporate and accounting obligations.
- Providing services tailored to clients' specific needs in accordance with the contracts entered into.
- Sending commercial information and newsletters regarding new services offered on the website and within the relevant sector.
- Archiving, updating systems, protecting, and safeguarding company information and databases.
- Sending promotional information electronically.
- Providing the requested information to the user through the contact form.

We would like to emphasize that you have the right to object to the receipt of commercial communications at any time by contacting us via the email address provided above.

Please note that the completion of the fields in the registration forms is mandatory, as the purposes outlined cannot be fulfilled without the provision of this data.

Retention Period of Personal Data

The personal data you provide will be retained for as long as the commercial relationship is maintained, or until you request its deletion. Additionally, data may be retained for the duration necessary to fulfill any legal responsibilities arising from the services provided.

Legitimacy of Data Processing

The processing of your data is carried out based on the following legal grounds:

- Requesting information and/or contracting services from Simms and Associates, subject to the terms and conditions that will be made available to you prior to any potential contract.
- Obtaining your free, specific, informed, and unequivocal consent. By providing this privacy policy, we inform you of your rights and enable you to provide your consent through a declaration or a clear affirmative action, such as ticking a designated checkbox.

Failure to provide accurate and complete details will result in our inability to process your request, thereby making it impossible for us to provide the requested information or carry out service contracts.

Target Audience

Unless legally obligated, your data will not be disclosed to any third party outside of Simms and Associates.

We have engaged hosting services located outside the European Economic Area, in the United States, which is considered a secure destination for international data transfers according to the data protection agreement between the EU and the USA (Trans-Atlantic Data Privacy Framework).

Data collected by users of the services

In situations where users upload files containing personal data to the shared hosting servers, Simms and Associates cannot be held responsible for the user's non-compliance with GDPR regulations.

Intellectual property rights

Simms and Associates holds full copyright, intellectual and industrial property rights, know-how, and any other rights related to the content of the website <https://simms-associates.com/> and the services offered therein. This also includes the necessary software programs for its implementation and related information.

Reproduction, publication, or any use other than strictly private use of the content, in whole or in part, of the website <https://simms-associates.com/> is strictly prohibited without prior written consent.

Software Intellectual Property

The user must respect third-party programs by Simms and Associates, even if they are freely available and/or publicly accessible.

Simms and Associates possess the necessary exploitation and intellectual property rights over the software.

The user does not acquire any rights or licenses for the contracted service, the software required for the provision of the service, or the technical information associated with monitoring the service, except for the rights and licenses necessary for the fulfillment of the contracted services and solely for the duration of the contracted services.

For any action that exceeds the fulfillment of the contract, the user must obtain written authorization from Simms and Associates. Furthermore, the user is strictly prohibited from accessing, modifying, or viewing the configuration, structure, and files of the servers owned by Simms and Associates. Any negligent or malicious actions on the part of the user resulting in incidents within the servers and security systems will hold the user liable both civilly and criminally.

Intellectual property of hosted content

The use of services provided by Simms and Associates that contravene intellectual property laws is strictly prohibited. This includes, but is not limited to:

- Use that violates Spanish legislation or infringes upon the rights of third parties.

- Publication or transmission of content that, in the judgment of Simms and Associates, is violent, obscene, abusive, illegal, racially discriminatory, xenophobic, or defamatory.
- Distribution of cracks, software serial numbers, or any other content that infringes upon the intellectual property rights of third parties.
- Collection and/or use of personal data from other users without their express consent or in violation of the provisions outlined in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.
- Use of the domain's mail server and e-mail addresses for sending unsolicited bulk e-mails.

The user holds full responsibility for the content of their website, the transmitted and stored information, hypertext links, third-party claims, legal actions related to intellectual property, third-party rights, and the protection of minors.

The user is accountable for complying with applicable laws, regulations, and rules governing the operation of the online service, e-commerce, copyright, public order maintenance, as well as universal principles of Internet usage.

The user agrees to indemnify Simms and Associates for any expenses incurred due to any claims against Simms and Associates resulting from the user's actions, including legal defense fees and expenses, even in cases where a final judicial decision has not been reached.

Protection of hosted information

Simms and Associates performs regular backup copies of hosted content on its servers; however, it cannot be held responsible for the loss or accidental deletion of user data. Furthermore, it does not guarantee the complete restoration of data that has been deleted by users, as such data may have been modified or deleted since the last backup was performed.

Unless specific backup services are provided, the services offered do not include the replacement of content stored in backup copies made by Simms and Associates, in cases where the loss is attributable to the user. In such instances, a fee will be determined based on the complexity and volume of the data recovery, with the user's prior acceptance.

The replacement of deleted data is only included in the service price when the loss of content is due to causes attributable to Simms and Associates.

Commercial communications

In compliance with the LSSI, Simms and Associates will not send unsolicited advertising or promotional communications via email or any other electronic means without prior request or express authorization from the recipients.

For users with whom there is an existing contractual relationship, Simms and Associates is authorized to send commercial communications regarding products or services similar to those initially contracted with the client.

In any case, the user, after proving his or her identity, may request the cessation of any further commercial information through the Customer Service channels.