



# **Garuda Virtual**

## Privacy Notice

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Garuda Virtual  
[www.garudavirtual.org](http://www.garudavirtual.org)

## **0. PREFACE**

Thank you for choosing to be part of our community at Garuda Virtual ("We", "us", "our"). We are committed to protecting your personal information and your right to privacy. If you have any questions or concerns about this privacy notice or our practices with regards to your personal information, please contact us at [info@garudavirtual.org](mailto:info@garudavirtual.org).

When you visit our website [garudavirtual.org](http://garudavirtual.org) and any affiliated subdomains (the "Website"), and more generally, use any of our services (the "Services", which include the Website), we appreciate that you are trusting us with your personal information. We take your privacy very seriously. In this privacy notice, we seek to explain to you in the clearest way possible what information we collect, how we use it and what rights you have in relation to it. We hope you take some time to read through it carefully, as it is important. If there are any terms in this privacy notice that you do not agree with, please discontinue use of our Services immediately.

This privacy notice applies to all information collected through our Services (which, as described above, includes our Website), as well as, any related services, sales, marketing or events.

Please read this privacy notice carefully as it will help you understand what we do with the information that we collect.

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## **2. WHAT INFORMATION DO WE COLLECT?**

### **Personal information you disclose to us**

*In Short: We collect personal information that you provide to us.*

We collect personal information that you voluntarily provide to us when you register an account with us.

The personal information that we collect depends on the context of your interactions with us and the Website, the choices you make and the features you use. The personal information we collect may include the following:

**Personal Information Provided by You.** We collect names; email addresses; usernames; VATSIM CID numbers; time zones; and other similar information.

**Social Media Login Data.** In order to use Garuda Virtual online services, you must register an account with us. When you connect in this way we collect information from you, including, but not limited to, your name, email, time zone, and any data related to your ATC and Pilot statistics that VATSIM may hold.

All personal information that you provide to us must be true, complete and accurate, and you must notify us of any changes to such personal information.

### **Information automatically collected**

*In Short: Some information – such as your Internet Protocol (IP) address and/or browser and device characteristics – is collected automatically when you visit our Website.*

We automatically collect certain information when you visit, use or navigate the Website. This information does not reveal your specific identity (like your name or contact information) but may include device and usage information, such as your IP address, browser and device characteristics, operating system, language preferences, referring URLs, device name, country, location, information about how and when you use our Website and other technical information. This information is primarily needed to maintain the security and operation of our Website, and for our internal analytics and reporting purposes.

Like many websites, we also collect information through cookies and similar technologies.

The information we collect includes:

**Log and Usage Data.** Log and usage data are service-related, diagnostic, usage and performance information our servers automatically collect when you access or use our Website and which we record in log files. Depending on how you interact with us, this log data may include your IP address, device information, browser type and settings and information about your activity on the Website (such as the date/time stamps associated with your usage, pages and files viewed, searches and other actions you take such as which features you use), device event information (such as system activity, error reports (sometimes called 'crash dumps') and hardware settings).

**Device Data.** We collect device data such as information about your computer, phone, tablet or other devices you use to access the Website. Depending on the device used, this device data may include information such as your IP address (or proxy server), device and

application identification numbers, location, browser type, hardware model, internet service provider and/or mobile carrier, operating system and system configuration information.

**Location Data.** We collect location data such as information about your device's location, which can be either precise or imprecise. How much information we collect depends on the type and settings of the device you use to access the Website. For example, we may use GPS and other technologies to collect geolocation data that tells us your current location (based on your IP address). You can opt-out of allowing us to collect this information either by refusing access to the information or by disabling your Location setting on your device. Note, however, if you choose to opt-out, you may not be able to use certain aspects of the Services.

#### **Information collected from other sources**

*In Short: We may collect limited data from public databases, marketing partners, social media platforms, and other outside sources.*

In order to enhance our ability to provide relevant marketing, offers and services to you and update our records, we may obtain information about you from other sources, such as public databases, joint marketing partners, affiliate programs, data providers, social media platforms, as well as from other third parties. This information includes mailing addresses, job titles, email addresses, phone numbers, intent data (or user behaviour data), Internet Protocol (IP) addresses, social media profiles, social media URLs and custom profiles, for purposes of targeted advertising and event promotion. If you interact with us on a social media platform using your social media account (e.g. Discord, Facebook or Twitter), we receive personal information about you such as your name, email address, and gender. Any personal information that we collect from your social media account depends on your social media account's privacy settings.

### **3. HOW DO WE USE YOUR INFORMATION?**

*In Short: We process your information for purposes based on legitimate business interests, the fulfilment of our contract with you, compliance with our legal obligations, and/or your consent.*

We use personal information collected via our Website for a variety of business purposes described below. We process your personal information for these purposes in reliance on our legitimate business interests, in order to enter into or perform a contract with you, with your consent, and/or for compliance with our legal obligations. We indicate the specific processing grounds we rely on next to each purpose listed below.

In legal terms, we are generally the "data controller" under European data protection laws since we determine the means and/or purposes of the data processing we perform. However, if you are a business customer with whom we have entered into a data processing agreement for the provision of corporate services to you, then you would be the "data

controller" and we would be the "data processor" under European data protection laws since we would be processing data on your behalf in accordance with your instructions.

We use the information we collect or receive:

**To facilitate account creation and logon process.**

**To display rosters.** We post rosters on our Website that may contain personal information, such as your name and VATSIM controller ratings. You consent to this usage by registering as a member on the Website. If you do not wish to be displayed on our website then please contact us at [info@garudavirtual.org](mailto:info@garudavirtual.org) and be sure to include your name and VATSIM CID. Doing so will result in the revocation of your account with us.

**To display flight boards.** We may display flight information boards for any member conducting a flight using our ACARS software. If you object to your data being displayed in such a way then you may email [info@garudavirtual.org](mailto:info@garudavirtual.org). Doing so will result in the revocation of your account with us.

**Request feedback.** We may use your information to request feedback and to contact you about your use of our Website.

**To enable user-to-user communications.** We may use your information in order to enable user-to-user communications with each user's consent.

**To manage user accounts.** We may use your information for the purposes of managing your account.

**Administer prize draws and competitions.** We may use your information to administer prize draws and competitions when you elect to participate in our competitions.

**To deliver and facilitate delivery of services to the user.** We may use your information to provide you with the requested service.

**To respond to user inquiries/offer support to users.** We may use your information to respond to your inquiries and solve any potential issues you might have with the use of our Services.

**To send you marketing and promotional communications.** We and/or our third-party marketing partners may use the personal information you send to us for our marketing purposes if this is in accordance with your marketing preferences. For example, when expressing an interest in obtaining information about us or our Website, subscribing to marketing or otherwise contacting us, we will collect personal information from you. You will not be automatically opted-in to any marketing emails, and can opt-out of our marketing emails at any time (see the "WHAT ARE YOUR PRIVACY RIGHTS" below).

#### **4. WILL YOUR INFORMATION BE SHARED WITH ANYONE?**

*In Short: We only share information with your consent, to comply with laws, to provide you with services, to protect your rights, or to fulfil obligations.*

We may process or share your data that we hold based on the following legal basis:

**Consent:** We may process your data if you have given us specific consent to use your personal information for a specific purpose.

**Legitimate Interests:** We may process your data when it is reasonably necessary to achieve our legitimate interests.

**Performance of a Contract:** Where we have entered into a contract with you, we may process your personal information to fulfil the terms of our contract.

**Legal Obligations:** We may disclose your information where we are legally required to do so in order to comply with applicable law, governmental requests, a judicial proceeding, court order, or legal process, such as in response to a court order or a subpoena (including in response to public authorities to meet national security or law enforcement requirements).

**Vital Interests:** We may disclose your information where we believe it is necessary to investigate, prevent, or take action regarding potential violations of our policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which we are involved.

More specifically, we may need to process your data or share your personal information in the following situations:

**Vendors, Consultants and Other Third-Party Service Providers.** We may share your data with third-party vendors, service providers, contractors or agents who perform services for us or on our behalf and require access to such information to do that work. Examples include: data analysis, email delivery, hosting services, customer service and marketing efforts. We may allow selected third parties to use tracking technology on the Website, which will enable them to collect data on our behalf about how you interact with our Website over time. This information may be used to, among other things, analyse and track data, determine the popularity of certain content, pages or features, and better understand online activity. Unless described in this notice, we do not share, sell, rent or trade any of your information with third parties for their promotional purposes. We have contracts in place with our data processors, which are designed to help safeguard your personal information. This means that they cannot do anything with your personal information unless we have instructed them to do it. They will also not share your personal information with any organisation apart from us. They also commit to protect the data they hold on our behalf and to retain it for the period we instruct.

**Third-Party Advertisers.** We may use third-party advertising companies to serve ads when you visit or use the Website. These companies may use information about your visits to our Website(s) and other websites that are contained in web cookies and other tracking technologies in order to provide advertisements about goods and services of interest to you.

**Affiliates.** We may share your information with our affiliates, in which case we will require those affiliates to honour this privacy notice. Affiliates include our parent company and any subsidiaries, joint venture partners or other companies that we control or that are under common control with us.

**Other Users.** When you share personal information or otherwise interact with public areas of the Website, such personal information may be viewed by all users and may be publicly



made available outside the Website in perpetuity. If you interact with other users of our Website and register for our Website through a social network (such as Facebook), your contacts on the social network will see your name, profile photo, and descriptions of your activity. Similarly, other users will be able to view descriptions of your activity, communicate with you within our Website, and view your profile.

## **WHO WILL YOUR INFORMATION BE SHARED WITH?**

*In Short: We only share information with the following third parties.*

We only share and disclose your information with the following third parties. We have categorised each party so that you may easily understand the purpose of our data collection and processing practices. If we have processed your data based on your consent and you wish to revoke your consent, please contact us using the contact details provided in the section below titled "HOW CAN YOU CONTACT US ABOUT THIS NOTICE?".

### **Allow Users to Connect to Their Third-Party Accounts**

VATSIM.net

### **Cloud Computing Services**

Namecheap

### **Communicate and Chat with Users**

Discord

### **User Account Registration and Authentication**

VATSIM.net

### **Web and Mobile Analytics**

Google Analytics

## **5. DO WE USE COOKIES AND OTHER TRACKING TECHNOLOGIES?**

*In Short: We may use cookies and other tracking technologies to collect and store your information.*

We may use cookies and similar tracking technologies (like web beacons and pixels) to access or store information. Specific information about how we use such technologies and how you can refuse certain cookies is set out in our Cookie Notice.

## **6. HOW DO WE HANDLE YOUR SOCIAL LOGINS?**

*In Short: If you choose to register or log in to our services using your VATSIM.net account, we may have access to certain information about you.*

We will use the information we receive only for the purposes that are described in this privacy notice or that are otherwise made clear to you on the relevant Website. Please note that we do not control, and are not responsible for, other uses of your personal information by your third-party social media provider. We recommend that you review their privacy

notice to understand how they collect, use and share your personal information, and how you can set your privacy preferences on their sites and apps.

## **7. IS YOUR INFORMATION TRANSFERRED INTERNATIONALLY?**

*In Short: We may transfer, store, and process your information in countries other than your own.*

Our servers are located in the United States of America. If you are accessing our Website from outside of the United States of America, please be aware that your information may be transferred to, stored, and processed by us in our facilities and by those third parties with whom we may share your personal information (see "WILL YOUR INFORMATION BE SHARED WITH ANYONE?" above), in the United States of America, and other countries.

If you are a resident in the European Economic Area, then these countries may not necessarily have data protection laws or other similar laws as comprehensive as those in your country. We will however take all necessary measures to protect your personal information in accordance with this privacy notice and applicable law.

## **8. HOW LONG DO WE KEEP YOUR INFORMATION?**

*In Short: We keep your information for as long as necessary to fulfil the purposes outlined in this privacy notice unless otherwise required by law.*

We will retain your personal data for as long as your membership in Garuda Virtual is active. When we have no ongoing legitimate need to process your personal information, we will either delete or anonymise such information.

## **9. HOW DO WE KEEP YOUR INFORMATION SAFE?**

*In Short: We aim to protect your personal information through a system of organisational and technical security measures.*

We have implemented appropriate technical and organisational security measures designed to protect the security of any personal information we process. However, despite our safeguards and efforts to secure your information, no electronic transmission over the Internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorised third parties will not be able to defeat our security, and improperly collect, access, steal, or modify your information. Although we will do our best to protect your personal information, transmission of personal information to and from our Website is at your own risk. You should only access the Website within a secure environment.



## **10. WHAT ARE YOUR PRIVACY RIGHTS?**

*In Short: In some regions, such as the European Economic Area, you have rights that allow you greater access to and control over your personal information. You may review, change, or terminate your account at any time.*

In some regions (like the European Economic Area), you have certain rights under applicable data protection laws. These may include the right (i) to request access and obtain a copy of your personal information, (ii) to request rectification or erasure; (iii) to restrict the processing of your personal information; and (iv) if applicable, to data portability. In certain circumstances, you may also have the right to object to the processing of your personal information. To make such a request, please use the contact details provided below. We will consider and act upon any request in accordance with applicable data protection laws.

If we are relying on your consent to process your personal information, you have the right to withdraw your consent at any time. Please note however that this will not affect the lawfulness of the processing before its withdrawal, nor will it affect the processing of your personal information conducted in reliance on lawful processing grounds other than consent.

If you are a resident in the European Economic Area and you believe we are unlawfully processing your personal information, you also have the right to complain to your local data protection supervisory authority. You can find their contact details here: [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm).

If you are a resident in Switzerland, the contact details for the data protection authorities are available here: <https://www.edoeb.admin.ch/edoeb/en/home.html>.

**Cookies and similar technologies:** Most Web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove cookies and to reject cookies. If you choose to remove cookies or reject cookies, this could affect certain features or services of our Website. To opt-out of interest-based advertising by advertisers on our Website visit <http://www.aboutads.info/choices/>.

## **11. CONTROLS FOR DO-NOT-TRACK FEATURES**

Most web browsers and some mobile operating systems and mobile applications include a Do-Not-Track ("DNT") feature or setting you can activate to signal your privacy preference not to have data about your online browsing activities monitored and collected. At this stage no uniform technology standard for recognizing and implementing DNT signals has been finalised. As such, we do not currently respond to DNT browser signals or any other mechanism that automatically communicates your choice not to be tracked online. If a standard for online tracking is adopted that we must follow in the future, we will inform you about that practice in a revised version of this privacy notice.

## **12. DO WE MAKE UPDATES TO THIS NOTICE?**

In Short: Yes, we will update this notice as necessary to stay compliant with relevant laws.

We may update this privacy notice from time to time. The updated version will be indicated by an updated "Revised" date and the updated version will be effective as soon as it is accessible. If we make material changes to this privacy notice, we may notify you either by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this privacy notice frequently to be informed of how we are protecting your information.

## **13. HOW CAN YOU CONTACT US ABOUT THIS NOTICE?**

If you have questions or comments about this notice, you may contact our Data Protection Officer (DPO), Horizon Winangkoso, at [info@garudavirtual.org](mailto:info@garudavirtual.org).

If you are a resident in the European Economic Area, the "data controller" of your personal information is Garuda Virtual. Garuda Virtual has appointed Horizon Winangkoso to be its representative in the EEA. You can contact them directly regarding the processing of your information by Garuda Virtual, by email at [info@garudavirtual.org](mailto:info@garudavirtual.org).

## **14. HOW CAN YOU REVIEW, UPDATE, OR DELETE THE DATA WE COLLECT FROM YOU?**

Based on the applicable laws of your country, you may have the right to request access to the personal information we collect from you, change that information, or delete it in some circumstances. To request to review, update, or delete your personal information, please submit a request by contacting [info@garudavirtual.org](mailto:info@garudavirtual.org). We will respond to your request within 30 days.

Deleting your data from Garuda Virtual will result in the suspension of any membership or account privileges.