

Privacy policy

Status: Mar 30, 2026

In this Privacy Policy, we hereby inform you regarding the processing of personal data pertaining to our customers of our AI Sales Platform (hereinafter the "**Platform**").

1. Controler and Contact Details

The controller responsible for the data processing activities is

Kickscale GmbH
Stella-Klein-Löw-Weg 8
1020 Vienna
("**Kickscale**" or "**we**")

FN 535151 m, Commercial Court of Vienna

Our Data Protection Officer is Dr. Kilian Schmit (Kertos GmbH). For any inquiries or concerns regarding data protection, you may reach us, as well as our Data Protection Officer, at privacy@kickscale.com.

2. Personal data

Personal data shall mean any information relating to an identified or identifiable natural person (the so-called "**Data Subject**"). Examples thereof include name, address, email address, telephone number, date of birth, age, gender, or social security number—and in the field of insurance mediation (*Versicherungsvermittlung*), specifically customer, policy, and claim numbers.

Furthermore, there exist special categories of personal data (so-called "**Sensitive Data**"). The GDPR (*DSGVO*) defines these as, inter alia, health data or data relating to criminal proceedings.

Personal data shall only be collected if provided by you voluntarily. Should you elect not to disclose personal data to kickscale, we shall be unable to establish a business relationship with you or respond to your inquiries. To provide our services to customers, it is necessary for kickscale to process personal data provided by you, as well as data arising in the course of the performance of the contract.

These include the following categories of data:

- **Personal Identification Data:** First and last name, company name, user IDs, profile URLs, profile pictures, website URLs, social media ratings, and comments.
- **Contact Information:** Email addresses, address data, telephone numbers.
- **Financial Data:** Bank account information, credit card numbers, and other financial details such as VAT identification number (UID).
- **Audio and Video Recordings:** Recordings of virtual conversations and meetings, including the contents thereof, to enable the provision of corresponding analyses and evaluations.

3. Processing purposes and legal bases

We process your personal data

- **To perform pre-contractual measures** taken at your request (Art 6(1)(b) GDPR), specifically)
 - when you contact us to initiate a contractual relationship (e.g., for the preparation of a quote
- **To fulfill a contract** (Art 6(1)(b) GDPR), namely the user agreement concluded between you and us. This encompasses:
 - the operation and provision of our Platform;
 - the provision of service and support in connection with our Platform; and
 - Proper accounting and billing.
- **To fulfill legal obligations** (Art 6(1)(c) GDPR), namely:
 - the maintenance of proper accounting;
 - compliance with statutory retention obligations (e.g., for accounting purposes); and
 - Compliance with regulatory and/or judicial requests (e.g., disclosure of data to law enforcement authorities).
- **On the basis of legitimate interests** (Art 6(1)(f) GDPR), namely:
 - The prevention and detection of misuse of our Platform;

- The detection and rectification of software errors;
- The collection and processing of customer feedback;
- Cross-team collaboration between the Controller's employees;
- Product development, design, and improvement; and
- Analysis of user behavior and improvement of our offerings within the Platform framework.

4. Recipients of personal data

To achieve the aforementioned purposes, it may be necessary to disclose your personal data to third parties. The potential recipient of your personal data may be located outside the European Union or may process your data there. The level of data protection in other countries may not necessarily correspond to that of Austria. However, we shall only transfer your personal data to countries that the EU Commission has determined to have an adequate level of data protection.

Alternatively, we take measures to ensure that all recipients have an adequate level of data protection, such as the conclusion of agreements within the meaning of the standard contractual clauses (Implementing Decision (EU) 2021/914). We transfer personal data to the following third parties as processors

Receiver	Purpose	Legal basis of the Transmission	Registered office / place of data processing	Basis for Third Country Transfer
Google Cloud EMEA Limited	<p>Hosting internal IT systems</p> <p>Backend and storage of recordings</p> <p>Database and user authentication via Firecase</p>	Legitimate interests (Art 6(1)(f) GDPR): Use of professional IT Infrastructure	Data storage and processing in EU	No third country transfer; Participant in E.U.-U.S. Data Privacy Framework.
Hyperdoc Inc / Recall AI	Recording of online meetings	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	Data storage and processing in EU	No third country transfer (EU data residency); In exceptional cases, transfer to the USA or access by US sub-processors cannot be fully excluded; SCCs pursuant to Art 46 GDPR have been concluded.

AssemblyAI	Transcription of sales calls	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	Data storage and processing in EU	No third country transfer; Participant in E.U.-U.S. Data Privacy Framework.
Mailgun Technologies Inc	Emails to users regarding consent for recordings	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	Data storage and processing in EU	No third country transfer; Participant in E.U.-U.S. Data Privacy Framework.
Apideck bv	Integration for other platforms (especially CRM systems)	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	EU (Belgium)	No third country transfer
Langfuse	Tracking, prompt management, and metrics for LLM debugging/improvement	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	EU (Germany)	No third country transfer
Gladia	Transcription of audio and video calls.	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	EU (France)	No third country transfer
Mongo DB	Primary database for storage of recordings and application data.	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	Data storage and processing in EU	No third country transfer; Participant in E.U.-U.S. Data Privacy Framework.
Posthog	Platform monitoring	Performance of (pre-)contractual measures (Art 6(1)(b) GDPR)	Data storage and processing in EU	No third country transfer; Participant in E.U.-U.S. Data Privacy Framework.

If there is a legal obligation, we transfer personal data to public bodies and institutions (e.g. law enforcement authorities, courts).

5. Automated decision-making pursuant to Art 22 GDPR

Kickscale does not use automated decision-making pursuant to Art. 22 GDPR.

6. Processing time

We store and process your personal data for as long as this is necessary to fulfil the purpose of processing. We process the personal data required for the fulfilment of the contract for the duration of the business relationship and beyond in accordance

with the statutory retention and documentation obligations. These are seven years for business correspondence and other business letters (Sec 212 UGB). In individual cases, for example in the case of pending official or court proceedings, this storage period may also be longer than seven years if this is of importance to the controller as an entrepreneur (Sec 212 (1) last sentence UGB). In the event of foreseeable legal disputes, your personal data may also be stored for longer, in any case until the expiry of the relevant limitation periods for legal claims.

7. Rights of data subjects

As a data subject, you are entitled to the rights described below. If we have reasonable doubts about the identity of your person in the context of exercising one of the data subject rights, we may request additional information from you that is necessary to confirm your identity.

In the case of rights that are asserted by means of a request, we have one month to fulfil this request.

- **Right to information pursuant to Art. 15 GDPR**

You have the right to request information about your personal data processed by us at any time. The right to information also includes the right to receive a copy of the data, provided that this does not adversely affect the rights and freedoms of other persons. We may charge you a reasonable fee for the creation of such a data copy based on the administrative costs.

- **Right to rectification pursuant to Art. 16 GDPR**

You have the right to request the correction or completion of incorrect data concerning you.

- **Right to erasure pursuant to Art. 17 GDPR**

In principle, you have the right to demand the erasure of data concerning you. However, this right to erasure does not exist if the processing

- for the right to freedom of expression and information; or
- for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; or
- for reasons of public interest in the area of public health; or
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the erasure is likely to render impossible or at least seriously impair the achievement of the objectives of that processing; or
- is necessary for the establishment, exercise or defence of legal claims.

- **Right to restriction of processing pursuant to Art. 18 GDPR**

You have the right to request the restriction of processing if at least one of the following conditions is met:

- the accuracy of the personal data is contested by you, for a period enabling the controller to verify the accuracy of the personal data; or
- the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead; or
- the controller no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims; or
- after an objection has been lodged in accordance with Art. 21 para. 1 GDPR, as long as it has not yet been determined whether the legitimate reasons of the controller outweigh your interests.

If you have exercised your right to restrict processing, we may only process this personal data - with the exception of the storage of this data - with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

- **Right to object pursuant to Art. 21 GDPR**

You have the right to object to processing based on an overriding legitimate interest on our part or on the part of a third party (pursuant to Art. 6 (1) (f) GDPR). In the event of an objection, we will no longer process your data unless the processing serves the establishment, exercise or defence of legal claims or we can demonstrate compelling legitimate grounds for the processing which override your interests.

An objection to the processing of personal data for direct marketing purposes is possible at any time and means that we may no longer process your data for this purpose.

- **Right to data portability pursuant to Art. 20 GDPR**

In principle, you also have the right to receive the data you have provided to us in a structured, commonly used and machine-readable format and to transmit this data to another controller. However, the right to data portability only exists if the processing is based on your consent or on a contract and the processing is carried out using automated procedures.

- **Right to lodge a complaint pursuant to Art. 77 GDPR**

If you believe that your data has been processed unlawfully and in breach of the GDPR, you have the right to lodge a complaint with the competent data protection authority. The jurisdiction depends on your place of residence or work.

You can reach the Austrian data protection authority at

Austrian Data Protection Authority

Barichgasse 40-42

1030 Vienna dsb@dsb.gv.at

8. Changes to the privacy policy

We reserve the right to amend this privacy policy if necessary, for example due to technical developments or legal changes, or to update it in connection with the offer of new services or products. The updated privacy policy will be made available to you.