

Privacy Policy

Last updated on July 29, 2024.

1. Who are we?

As our name suggests Genially is a genial company, we were born in 2015 and since then our mission has been to help you create all kinds of audiovisual and interactive content in an easy and fast way. We know how boring it could be to read these legal texts, but, even if we are the "coolest" company, we also have to comply with our legal obligations. That's why we are committed to protecting your privacy, security and being transparent with the personal information you share with us, as well as ensuring that you can exercise your rights as the owner of the data you provide us with.

Additionally, you can consult our [T&C](#), our [Legal Notice](#) or our [Cookies Policy](#), we assure you that after this you will only want to take a good nap.

- **Company:** GENIALLY WEB SL
- **CIF:** B56019912
- **Address:** Plaza Ramón Y Cajal 4, 4º 14003 Córdoba (Spain)
- **Contact:** <https://genially.com/contact/>

2. What is the purpose of this Privacy Policy?

We have the objective and the legal obligation to inform you clearly and precisely of the way in which we process your personal information when you access the websites hosted under the domain names and subdomains dependent on our Website.

We also inform you that access to the Website is permitted whether you are an individual or a legal entity, provided that you have successfully completed registration and meet the following requirements:

- Individuals:** access to the Website is permitted to the extent that you comply with our K12 User Policy, subject to any additional access requirements under the applicable laws of the country in which you reside:
 - You must be at least thirteen (13) years of age and reside in the U.S. or have the express consent of your parent or legal guardian.
 - You must be at least sixteen (16) years of age and reside outside the U.S. or, if you are under sixteen (16) years of age but have the consent of your parent or legal guardian.

Please note that, depending on your age, certain features of our Website may be restricted due to FERPA and COPPA regulations, as detailed below. Consequently, in order to ensure compliance with FERPA, COPPA, GDPR, as well as any other regulations that may be applicable, Genially reserves the right to make the appropriate checks, to limit certain functionalities and to prohibit or restrict access to those Users whom it knows or suspects are not complying with the requirements set forth in this Privacy Policy.

In order to ensure that the age criteria are met, Genially reserves the right to make appropriate verifications and to prohibit access to those Users whom it knows or suspects do not meet these requirements.

- Legal Entities:** If you are acting on behalf of a company, school, educational institution or other legal entity, you confirm that you are authorized to bind such entity to this Privacy Policy, in which case the terms "you", "your" or "User" shall refer to such entity. If you are not authorized or if you do not agree to this Privacy Policy, please do not access to this Web Site. In addition, Legal Entities acknowledge that they have been informed of the need to comply with FERPA, COPPA and GDPR regulations regarding the processing of personal data, so they can:
 - Download our [DPA](#) through the following link and send it to us signed at legal@genially.com.
 - Access to the [FERPA](#) statement
 - Access to the [COPPA](#) statement
 - Access to our [California AB 1584 Compliance Statement](#).

Notwithstanding the foregoing, Schools and Educational Centers are informed that Genially processes the data of the K12 Users on the basis of the consent of their parents or educational centers.

3. Which data do we collect?

The provision of your data through the registration form and while browsing through our Website is voluntary. However, it is essential for the provision of our Services that you provide us with certain personal information, otherwise it would be impossible for us to provide them to you.

You also guarantee that the information you provide us is truthful, exact, current and authentic and you agree that Genially reserves the right to exclude from the Web Site those Users that it considers that they are providing false, erroneous or incorrect information.

In this sense, Genially processes the following personal data:

- Identifying information, such as first and last name.
- Contact data, such as email address and/or postal address.
- Sector and role data, such as the field in which the User works or studies and his/her position in the organization to which he/she belongs.
- Navigation data for purposes of improving the service and the available content.
- Data about Users' preferences and interests in relation to the digital content offered on Genially's Website.
- Data that Genially's Web Site servers can automatically detect, such as the IP addresses of Users.
- Data about Users' preferred language.

Please note that if you are a K12 User and a U.S. resident, there may be limitations on the processing of your data, as well as your functionalities, as set forth in section 5.c) of this Privacy Policy.

4. For what purposes do we process your data?

The processing that we carry out on your data corresponds to a purpose provided for by the law (legitimate basis), as detailed below:

a. Genially's legitimate interest

- To process, manage and resolve your possible complaints, suggestions or queries or those of other Users.
- To carry out studies to improve the quality of our Services, we use data on the preferences of the Users.
- In case you have completed the registration process, to send you commercial communications about products and services offered by Genially that could be of your interest, related to the ones you have previously contracted, by any means including electronic.

c. Consent

- Consent is requested for the processing of data obtained through cookies and similar devices or mechanisms that allow the storage and retrieval of data, such as pixels or code fragments. This treatment is carried out in accordance with the applicable regulations and the guidelines issued by the Spanish Data Protection Agency on the date of drafting this Privacy Policy, in order to ensure the proper functioning of all the functionalities of the Website. If you have any questions about this treatment, you can consult our [Cookies Policy](#).

e. To manage a pre-contractual relationship

- To manage the reception of candidacies and the possible participation in Genially's selection processes.

g. To manage a contractual relationship

- For the provision of Services, such as making available to you different functionalities of Genially so that you can elaborate in an easy and simple way the creations you need.

i. To comply with a legal obligation

- For the purpose of communicating information to public authorities, regulators or governmental bodies in those cases where it is necessary to do so by law, local regulation or in compliance with regulatory obligations.
- To comply with the provisions of Law 2/2023, of February 20th, which regulates the protection of persons who report regulatory violations and the process of eradicating corruption, in the event of a nominative complaint.

5. What is our K-12 User Policy?

a. K-12 FERPA and COPPA Policy

Protecting the privacy of K12 Users is especially important to us, so we ensure compliance with FERPA, COPPA and GDPR on this Web Site.

COPPA protects the online privacy of children under the age of 13 in the U.S. If more information about COPPA and the general protection of children's privacy online, please visit Protecting Your Child's Privacy Online at <https://www.consumer.ftc.gov/articles/0031-protecting-your-childs-privacy-online>

d. How can a K12 User who resides in the U.S. register on the Website?

If you are a K12 User residing in the U.S. to register on our Web Site you will need to enter your date of birth on the age verification screen and then introduce your parent's or legal guardian's email address so that they are informed of your registration on our Web Site and authorize us to grant you access. It is necessary that your parents or guardians provide us with their consent within seven (7) calendar days of receipt of the aforementioned email. If within this period we do not receive a response, all personal data provided, including parent's or legal guardian's email address, shall be deleted.

f. What functionalities are limited for a K12 User residing in the U.S?

Once we have received your parent's or legal guardian's authorization, you will be able to access the Website. However, if you reside in the U.S. the following functionalities will be restricted:

- You will only be able to publish their creations in private option (no google indexing)
- You will not be able to make your creations reusable
- You will not be able to add collaborators
- Your personal information will not be public
- You will not have options to share your creations on non-educational social networks.
- You will have all email notifications deactivated
- You will not be able to have a social profile
- You will not be able to access to the Website through social networks
- You will not be able to incorporate external content via script

i. What rights do the parents of a K12 User have?

Regarding COPPA, parents or legal guardians of the K12 Users will have a several rights in relation to the information that Genially processes about their children. In this sense, parents will be able to manage, limit and prohibit the use of their children's information. To do so, you just need to contact us through the aforementioned contact point. If you are a parent or legal guardian of a K12 User, please note that you have the following rights:

- You will have the ability to review the personal information collected from your child
- You will have the ability to revoke your consent and refuse further use or collection of your child's personal information at any time
- You may request deletion of your child's personal information

Please note that when you exercise any of these rights, we may request additional information to verify that you are the parent or legal guardian of the K12 User

Regarding FERPA, Genially will work with schools to provide parents access to information in School User accounts at the request and direction of the school. If you experience any difficulties in this process, please contact us as described below.

n. How long do we keep a K12 User's information?

We will keep the information as long as the K12 User uses our Web Site. We consider that after one (1) year with no activity, the K12 User's personal information will be deleted.

6. Which rights do California consumers have?

The CCPA provides consumers with specific rights regarding their personal information. You have the right to request that businesses subject to the CCPA (which may include our Users with whom you have a relationship) disclose certain information to you about their collection and use of your personal information over the past twelve (12) months. In addition, you have the right to ask such businesses to delete personal information collected from you, subject to certain exceptions. If the business sells personal information, you have a right to opt-out of that sale. Finally, a business cannot discriminate against you for exercising a CCPA right. Please see the information collection, use, disclosure, and individual rights sections above to learn about Genially's practices when Genially acts as a "business" subject to the CCPA.

When offering services to its Users, Genially acts as a "service provider" under the CCPA and our receipt and collection of any consumer Personal Information is completed on behalf of our Users in order for us to provide the Service. Please direct any requests for access or deletion of your Personal Information under the CCPA to the User with whom you have a direct relationship.

7. Why do we need to process your personal data?

Please note that in order you may enjoy our Web Site it is necessary for us to process your personal data so that, by registering on it, you declare that you have been informed of the privacy conditions and you authorize us to collect your data in accordance with the purposes that we have indicated above, otherwise we will not be able to provide you the Services.

In addition, you agree to inform us of any changes and/or updates to the data you have provided us, ensuring that they are true and accurate for as long as you are our User. For security reasons of our Web Site, Genially reserves the right of admission of Users.

8. With whom do we share your data?

As we mentioned earlier, transparency is very important to us, consequently, we will not share the personal data you provide us with any third party for other purposes than to guarantee the functioning of our Web Site, that is, in order to provide you with our Services through our Web Site, certain suppliers need access to the personal data of our Users, so it is essential that we share certain information with them.

We also guarantee that we only share data with third parties within the framework established by law and for the purpose of receiving maintenance, support and operational services regarding our Web Site.

Please note that we only use third party services whose policies are aligned with ours, therefore, we make available to you the privacy policies of each of our providers in order you can understand how your information will be processed within the framework of the services provided to Genially:

Name	Description	Data	Privacy Policy
AWS	Hosting Services	All customer data	https://aws.amazon.com/es/privacy/
Pipedrive	Pipedrive is a sales pipeline management and CRM tool	Email, Plan, Sector, Role, Country, geniallys number, last access, Phone number	https://www.pipedrive.com/en/privacy
Mailchimp	Mailchimp is the integrated marketing platform companies	User's email address, role, sector, language, plan, number of geniallys, last access, subscription type, registration date, country	https://mailchimp.com/legal/privacy/
Canny	Feedback management platform	Name, Email address, Profile picture, IP address, Operating system, Browser (Type, Version).	https://canny.io/privacy
Facebook	Social Network	Allows users to share information and access the Web Site through Social Login	https://www.facebook.com/policy.php
Twitter	Social Network	Allows users to share information and access the Web Site through Social Login	https://twitter.com/en/privacy
Linkedin	Social Network	Allows users to share information and access the Web Site through Social Login	https://www.linkedin.com/legal/privacy-policy
Reddit	Social Network	Allows users to share information	https://www.redditinc.com/policies/privacy-policy-september-12-2021
Pinterest	Social Network	Allows users to share information	https://policy.pinterest.com/es/privacy-policy
Tumblr	Social Network	Allows users to share information	https://www.tumblr.com/privacy/en
Office 365	Line of subscription services offered by Microsoft	Allows users to access the Web Site through Social Login	https://privacy.microsoft.com/es-es/privacystatement
Google	Internet-related services and product	Allows users to access the Web Site through Social Login	https://policies.google.com/privacy?hl=en-US
Stripe	A payment API package for companies operating on the Internet, including fraud prevention and subscription management	User's purchase data (email, card, country)	https://stripe.com/es/privacy
Braintree	Online payment gateway for all transaction sizes	User purchase data (email, paypal account, country)	https://www.braintreepayments.com/legal/acceptable-use-policy
Logrocket	LogRocket combines session replay, performance monitoring, and product analytics – empowering software teams to create the ideal product experience	Record sessions of application usage or functionalities	https://logrocket.com/privacy/

Google Analytics	Free web analytics tool from Google	User ID	https://policies.google.com/privacy?hl=en-US
Sentry	Sentry provides an open source bug tracker to monitor and respond to errors and failures anywhere in your application in real time	Application error logs. User IDs and request information (IP, browser, OS)	https://sentry.io/privacy/
Customer.io	Customer.io is the integrated marketing platform companies	User's email address, role, sector, language, plan, number of geniallys, last access, subscription type, registration date, country	https://customer.io/legal/privacy-policy/
Candu	Product guides, product marketing, help center, Surveys	Email, Plan, Subscription period, Subscription start date, Subscription end date, Subscription ID, LoginRRSS, geniallys number, Country, City, Sector, Role, Organization, Team role, Last login date, Registration date, User ID, Time zone, Language, Name, User ID, Browser, Operating System, Device	https://www.candu.ai/privacy-policy
Kustomer	Comprehensive customer service software with omnichannel service and fast amortization	Email, Plan, Subscription period, Subscription end date, Subscription start date, Subscription ID, geniallys number, Company name, LoginRRSS, Country, City, Industry, Role, Last login date, Registration date, User ID, Time zone, Language	https://www.kustomer.com/privacy/
VWO	CDP tool	Domain information related to users' visits to personalize and improve their experience on our website	https://vwo.com/privacy-policy/
Prefect	Data flow	Name, email address and IP address	https://www.prefect.io/privacy-policy

As a general rule, our suppliers are located in the European Economic Area or in countries with an adequate level of protection according to the European Commission, so we do not carry out international data transfers. However, it is possible that, in certain circumstances, some services are contracted from suppliers that do not have offices in the European Union, in these cases, Genially will enter into a standard contractual clauses approved on July 4, 2021 by the European Commission with them.

9. How long do we store your data?

We store your personal data to the extent that they are necessary for the purpose for which they were collected, that is, we will only keep your data while there is a contractual and / or business relationship with you, unless you wish to exercise your rights of opposition or deletion, in which case, they will be retained, without giving them any use, while they may be necessary for the exercise of claims or may arise some kind of legal or contractual responsibility that must be addressed and for which recovery is necessary.

10. What are your rights as a User?

As a User, you can withdraw your consent at any time when it has been granted for the processing of your data and, in no case, such withdrawal will condition the execution of the service contract or the relationships generated previously.

Likewise, at any time, you can exercise your rights to Access, Rectification, Cancellation, Opposition, Portability, and Erasure by writing through the aforementioned contact point, expressly indicating the request you wish to make, or by writing to the postal address indicated in section 1, indicating the reference "Personal Data" and specifying the right you wish to exercise and which personal data it concerns.

If we are unable to verify your identity correctly, we may request additional information from you.

Below, we briefly explain what your rights consist of:

- **Access:** through the exercise of this right you may know which personal data we are processing; for what purpose or its possible transfer to third parties.
- **Rectification:** you can modify your personal data that are inaccurate or incomplete, specifying in your request which data you want to be modified.
- **Cancellation:** allows the cancellation of your personal data.
- **Opposition:** you can oppose the processing of your data for a specific purpose, for example in the hypothetical case that your data is used for advertising and commercial prospecting activities.
- **Portability:** you may receive your personal data provided in a structured, commonly used and machine-readable format, and be able to transmit it to another data controller, provided that it is technically possible.
- **Right to be forgotten:** you may request the deletion of personal data without due delay when any of the events contemplated by law have occurred. For example, unlawful processing of data, or when the purpose for which the data was collected or processed has disappeared.

11. Where do we store your data?

Genially stores your data in the EEA, however, it is possible that certain of our suppliers may be located in third countries, in such cases, we ensure that the recipient of your Personal Information offers an adequate level of protection by entering into appropriate agreements. All international transfers are made on the basis of the EU Commission approved standard contractual clauses ("SCCs").

Genially maintains strict organizational and technical measures to protect Personal Information stored on our, and our trusted third parties', servers. Access to any personal information we process in order to provision the Services is limited through login credentials, multi-factor authentication, access on a need-to-know basis and restricted access to administrative accounts for the employees who require access in order to perform their duties towards you, such as providing support services.

If you want to know more about Genially's international transfers and the measures we take to keep your Personal Information safe, please reach out to us on legal@genially.com

12. Modifications to the Privacy Policy

It is possible that due to functional, legal or jurisprudential changes we may have to modify our Privacy Policy adapting it to such changes, for such reasons we reserve the right to modify this Privacy Policy. However, you should not worry because we will inform you of any changes we make to this Privacy Policy and, if necessary, you will be asked for your consent. To this end, we will inform you of any changes thirty (30) days in advance.

asked for your consent to this end, we will inform you of any changes thirty (30) days in advance.

13. Change of Control

Over time, Genially may grow and reorganize. We may share your information, including personal information with affiliates such as a parent company, subsidiaries, joint venture partners or other companies that we control or that are under common control with us, in which case we will require those companies to agree to use your personal information in a way that is consistent with this Privacy Policy.

In the event of a change to our organizations such that all or a portion of Genially or its assets are acquired by or merged with a third-party, or in any other situation where personal information that we have collected from users would be one of the assets transferred to or acquired by that third-party, this Privacy Policy will continue to apply to your information, and any acquirer would only be able to handle your personal information as per this policy (unless you give consent to a new policy). We will provide you with notice of an acquisition within thirty (30) days following the completion of such a transaction, by posting on our homepage and by email to your email address that you provided to us. If you do not consent to the use of your personal information by such a successor company, subject to applicable law, you may request its deletion from the company.

In the unlikely event that Genially goes out of business, or files for bankruptcy, we will protect your personal information, and will not sell it to any third-party.

14. How do we protect your data?

Finally, we have to tell you that your data are safe with us since we will process them in an absolutely confidential way and we implement adequate technical and organizational measures to guarantee their security and avoid their destruction, loss, illicit access or illicit alteration.

More specifically, taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, Genially shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including inter alia as appropriate:

- the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;
- a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

In assessing the appropriate level of security account shall be taken in particular of the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed. If Genially becomes aware of a systems security breach by an unauthorized party or that any user data was used for an unauthorized purpose, we will comply with relevant state and other data breach laws. We will notify users of any breach resulting in unauthorized release of data electronically, at minimum, and without unreasonable delay so that you can take appropriate steps. The notification will include: date of the breach, the types of information that were subject to the breach, general description of what occurred, and steps Genially is taking to address the breach.

15. Who can answer my questions?

If you have any questions about our Privacy Policy, please contact us through the aforementioned contact point. Likewise, if you consider that your rights are not properly addressed, you have the right to file a complaint with the Spanish Data Protection Agency, whose contact details are: Telephones: 901 100 099 91.266.35.17; Postal Address: C/ Jorge Juan, 6 28001-Madrid; Electronic Headquarters: <https://sedeagpd.gob.es/sede-electronica-web/> and web page: www.agpd.es

16. Definitions

- **COPPA:** means Children's Online Privacy Protection Act.
- **DPA:** means Data Processor Agreement in accordance with the requirements set forth in article 28 GDPR.
- **EEA:** means European Economic Area.
- **EU:** means European Union.
- **FERPA:** means Family Educational Rights and Privacy Act.
- **GDPR:** means European Data Protection Regulation.
- **K12 Users:** means a natural person who, due to age requirements, is subject to the K12 Policy.
- **K12 User Policy:** means criteria required for registration on the Website based on compliance with FERPA, COPPA and GDPR which provides that Users must (i) be at least thirteen (13) years old and reside in the U.S. or have express parental or legal guardian consent or; (ii) be at least sixteen (16) years old and reside outside the U.S. or, even if under sixteen (16) years old, have parental or legal guardian consent.
- **Privacy Policy:** means document governing the privacy of the Website.
- **Services:** means the services provided by Genially, including the software services available on the Website.
- **Users:** means natural or legal person who, fulfilling the access requirements, has registered on the Genially Web Site.
- **Website:** means websites hosted under the domain names and all those subdomains dependent on Genially.



Product

Product overview
Interactive Content
Question & Quiz Builder
Audience Engagement
Gamifications
AI Features
Brand Kit
LMS Integration
Get started
Genially tour
Pricing

Templates

All templates
eLearning & Training
K12 Education
School Admin
Business
Marketing
Higher Education
Human Resources
Games
Quizzes
Surveys

Create

Interactive presentations
Infographics
Interactive images
Slideshows
Training materials
Pitch Decks
Flowchart
Interactive card
Escape room
Digital brochures
Timelines

What's it for?

eLearning
Business
Schools
University
Customer stories
Articulate 360 alternative
Nearpod alternative
Kahoot alternative
Community

Learn

Genially Talks
Genially Academy
Blog
Help Center

Company

Who we are
Join the team
Partners
Contact
Sales contact
Security & Privacy
System status

Creating interactive content is oh so easy

Start now