

# Data protection and privacy policy

## Data controller

Vialtis Sarl  
Bâtiment 23-25 Parc du Golf  
350, Rue JRGG de la Lauzière  
13799 Aix en Provence  
France  
Company Registration Number: 325176014

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## 1. Introduction

This data protection and privacy policy (hereinafter the “**Policy**”) describes how Vialtis Sarl (hereinafter “**us**”, “**we**” or “**our**”) and our subsidiary companies as data controller(s) collect and process personal information about you in connection with your purchase of our services, products or general use of our websites.

The Policy is formulated and made available to you in order for us to comply with the EU General Data Protection Regulation (2016/679 of 27 April 2016) (hereinafter “**GDPR**”).

## 2. Personal data we collect about you

When you purchase our services or products, use our websites or sign up for newsletters or the like, we collect and process the following categories and types of personal data about you: name, address, e-mail, telephone number, IP address, username, credit card information, information from publicly available and relevant social media platforms, list of purchases along with other personal data voluntarily submitted by you.

We generally collect the personal data about you directly from you. When relevant, however, we may collect business relevant personal data about you from the organization that you work for or collect similar personal data from publicly available sources.

If we need and process more personal data than what is specified in the above, we will notify you hereof when we collect said additional data.

## 3. Purposes of processing your personal data

Your personal data collected and processed by us will be processed with the following purposes;

- (i) to correctly deliver and provide, and/or offer for sale, the services or products ordered from us;
- (ii) to provide support and service messages to you, including answering questions or complaints and sending service messages regarding our products and services;
- (iii) to prohibit fraud or improper use of our products, services and websites, including processing personal data to use in connection with legal actions;
- (iv) to improve our products, services and websites; and
- (v) to store personal data to the extent such storage is required by law, including among others storage of accounting and bookkeeping records in accordance with the applicable legislation.

#### **4. Legal basis for processing**

Our collection and processing of your personal data is done on the following legal basis:

- (i) if we have asked for your consent, when you have given consent hereto, cf. GDPR, article 6 (1) (a);
- (ii) when the processing is necessary for the performance of a contract you have with us, cf. GDPR, article 6 (1) (b);
- (iii) when the processing is necessary for our compliance with applicable legal obligations, cf. GDPR, article 6 (1) (c); and
- (iv) when the processing is necessary for the purposes of our legitimate interests, cf. GDPR, article 6 (1) (f), including the following legitimate interests: prevention of fraud and improper use of our products, services or websites and to improve our products, services and websites.

If we process sensitive personal data (so-called "special categories of personal data") about you, the processing will only take place if permitted by GDPR, including but not limited to the following instances:

- (v) the processing is based on your explicit consent in accordance with the GDPR, article 9 (2) (a);
- (vi) the processing is necessary for the purposes of carrying out the obligations and exercising specific rights of us or you in the field of employment and social

security and social protection law in so far as it is authorized by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of you, cf. GDPR, article 9 (2) (b);

- (vii) the processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity, cf. GDPR, article 9 (2) (f); or
- (viii) if you have on your own initiative disclosed the information to us, cf. GDPR, article (9) (2) (e).

If we send direct marketing to you, including by e-mail, we will ask for your prior consent in accordance the applicable Marketing Act.

If we process your personal information based on your consent, you can always withdraw your consent by contacting us at the contact details listed at the bottom of this policy. If you withdraw your consent, we will delete the personal information we processed on the basis of your consent unless they can or must be processed, for example, to comply with a legal obligation.

## **5. Disclosure and transfer of your personal data**

We only pass your personal information to others if the law allows it or requires it.

We disclose your personal data in relevant instances with the following recipients from EU/EEA:

- (i) Relevant tax authorities
- (ii) Banks
- (iii) Data processor sin the EU/EEA
- (iv) Suppliers from the EU/EEA
- (v) Professional partners from the EU/EEA
- (vi) Professional partners from so-called third countries, including Switzerland.

From time to time we use external companies as suppliers to deliver assist us in delivering our services. The external suppliers will not receive or process your personal data unless the applicable law allows for such transfer and processing.

Where the external parties are data processors, the processing is always performed on the basis of a data processor agreement in accordance with the requirements hereto under GDPR.

Where the external parties are data controllers, the processing of your personal data will be performed based on said external parties' own data privacy policy and legal basis that you will be informed on unless the applicable legislation allows otherwise.

Where the external parties come from so-called third countries outside the EU/EEA, the legal basis for our transfer is either the EU-US Privacy Shield, when such external parties are certified under said EU-US Privacy Shield, or the Standard Contractual Clauses adopted by the EU Commission.

We are part of a concern and have subsidiary companies in several countries, including both EU countries and third countries outside EU/EEA. Within the concern, each of the group companies will from time to time transfer data to the other group companies and process personal data as data controllers or data processors, depending on the specific circumstances. The legal basis for transfers to group companies in third countries is either the EU-US Privacy Shield, when certification is obtained, or the Standard Contractual Clauses adopted by the EU Commission.

If you have any questions about our use of data processors, cooperation with other data controllers, including subsidiary companies, or transferring of data to third countries, please contact us for more information or documentation of our legal basis for said transfers.

## **6. Deletion and retention**

We ensure that your personal data is deleted once the personal data is no longer relevant for our purposes.

We also retain your personal data to the extent that the applicable law obliges us hereto, as is the case with for example accounting and bookkeeping materials and records.

If you have any questions about our retention of your personal data, please contact the e-mail mentioned at the bottom of this Policy.

## **7. Your rights as a data subject**

As a data subject under GDPR, you have number of rights that we can assist you with. Your rights include the following:

- (i) You have the right to access into what personal data we process about you, for what purposes we process the personal data to pursue and whether we disclose or transfer your personal data to others.

- (ii) You have the right to have incorrect information rectified.
- (iii) In certain cases, you have the right to deletion of certain of your personal data.
- (iv) You may, in certain cases, have the right to restriction of our processing of your personal data.
- (v) You are under certain circumstances entitled to so-called data portability of the personal data you have provided to us.
- (vi) You may, in certain cases, have the right to object to our processing of your personal data based on reasons and circumstances that pertain to your particular situation.

If you wish to make use of your rights as described above, please use the contact details provided at the end of this Policy.

We strive to do everything to meet your wishes regarding our processing of personal data and your rights as a data subject. If you despite our endeavors wish to file a complaint, you can do so by contacting the national Data Protection Agency.

#### **8. Changes to this Policy**

The rapid development of the internet and available technology means that changes in our processing of personal data may become necessary. We therefore reserve the right to update and amend this Policy. If we do, we correct the date and the version at the bottom of the page. In case of significant changes, we will notify you in the form of a visible notice on our website or by direct message.

#### **9. Contact**

If you have questions or comments about this Policy or if you would you like to invoke one or more of your rights as a data subject, please contact us at [gdprrequest@vialtis.com](mailto:gdprrequest@vialtis.com).

This is version 2, last updated 24 June 2018.

Yours sincerely,

Vialtis Sarl