

## Privacy Notice (December 2018)

Please read carefully the present privacy notice on the processing of personal data (the "**Privacy Notice**") in the course of interactions related to the agreed services, during the performance of such services or before the service delivery begins (together, the "**Service**" or "**Services**") or related to professional exchanges linked to interactions between SEQVOIA and the industry organisation or company you are working for (the "**Exchange**" or "**Exchanges**").

The purpose of this Privacy Notice is to inform you of the processing of your personal data (as defined in the regulation (EU) 2016/679 on the protection of natural persons with respect to the processing of personal data and on the free movement of such data (the "**Regulation**" or "**GDPR**")) and your rights in that respect.

We process your personal data in compliance with any data protection law applicable in Luxembourg and in particular the Luxembourg Law dated 1st August 2018 and 16th August 2018 concerning the protection of individuals with regard to the processing of personal data and the General Data Protection Regulation applicable in all European Union member states since 25 May 2018 (Regulation (EU) 2016/679) (together the "**Data Protection Legislation**").

The reference to "we" or "us" or "our" in this Privacy Notice, refer to SEQVOIA ("**SEQVOIA**").

### 1. Legal information

The Privacy Notice is provided to you by SEQVOIA as data controller with respect to the personal data collected throughout the performance of the Services.

#### Contact details:

SEQVOIA ("**SEQVOIA**")

*Société anonyme*

Registered office: 13-15, Parc d'Activités

L - 8308 Capellen

Grand Duchy of Luxembourg

Registration number RCS Luxembourg B 172.001

The data subject may exercise the rights set out in section 6 by written request to be sent to: [info@seqvoia.com](mailto:info@seqvoia.com) (the "**Contact Email**").

### 2. What data do we process?

As data subject you are informed that SEQVOIA collects and processes personal data, such as:

Name, title, gender, professional address, professional phone number, professional mobile phone number, professional email address, employer, job title, role, position, when interacting electronically with you in relation to the Services or the Exchanges;

Current responsibilities, projects, starting date, leaving date and/or information that you have left the organisation, delivered by you or your employer, in order to keep contact information up to date and relevant to performing the Services or the Exchanges;

Any additional information you disclose on your business card or email signature, (e.g. professional qualifications) exchanges in relation to performing the Services or the Exchanges;

Dietary preferences when invited to events as a representative of the organisation or company providing the Services or engaged in the Exchanges;

(the "**Personal Data**").

Any personal data collected by us will be processed in accordance with this policy or the specific data protection provisions that are included in your contract.

To the extent possible, please ensure when providing information during the performance of the Services or Exchanges not to include any personal data that is not absolutely necessary for the delivery of the Service or in the course of the Exchanges. Please be particularly careful not to include sensitive personal data (e.g.

related to political opinion, religious or philosophical convictions, trade union membership, etc.) about you or other related persons. Where information of another natural person is included in any communication, we assume that the sender processes that personal data lawfully, has informed and has received consent from the concerned person that his/her personal data would be shared with SEQVOIA and has provided a copy of the present Privacy Notice to such concerned person.

If you deliberately include such sensitive personal data or personal data that would not be necessary for the delivery of the Services or in the course of the Exchanges, you acknowledge and consent that SEQVOIA will have to process this data.

### **3. We process your Personal Data lawfully**

SEQVOIA will only process your Personal Data for the following purposes:

- Administration of contacts related to the Services, including administration of such contacts prior to the agreement on the service to deliver between the data subject and SEQVOIA;
- Performance of the Services;
- Administration of contacts related to the Exchanges, including administration of such contacts prior to an agreement on services to deliver between the data subject and SEQVOIA;
- Effective performance of the Exchanges.

The legal grounds for such processing of your Personal Data depend on the context. Thus the grounds for such processing of your Personal Data are that such processing are (combined or separately as applicable):

- i) necessary for the delivery of the Service as agreed between SEQVOIA and our Suppliers (e.g. your organisation),
- ii) necessary for an effective implementation of the Exchanges between SEQVOIA and industry organisations or companies,
- iii) necessary for satisfying SEQVOIA's legitimate interests such as seeking maximum efficiency (including administrative, internal analysis, organisational and technical measures and IT efficiency and security).

### **4. We share your Personal Data to the relevant recipients**

Your Personal Data will be accessible to:

- The authorised staff of SEQVOIA;
- The authorised staff of Victor Buck Services S.A. (the IT services provider with servers located in Luxembourg which can operate maintenance operations on its servers);
- The authorised staff of Amazon Web Services, Inc. (the hosting provider with servers located in Luxembourg which can operate maintenance operations on its servers);
- The authorised external service providers used for administrative or organisational purposes (e.g. for payment of invoices);
- The authorised external consultants and/or developers who perform assignments for SEQVOIA;
- The authorised staff of our Website's hosting partner Gandi with servers located in Bissen, Luxembourg;
- The authorized staff of our CRM provider Salesforce with servers located in the European Union;
- The authorised staff of service providers of SEQVOIA's call and video conferencing solution.

### **5. Your Personal Data is transferred**

Please note that your Customary Personal Data (as defined below) may be transferred, depending on the Services or Exchanges to MailChimp (for creating email marketing distribution lists), having its servers located within the USA and adhering to the EU-US Privacy Shield.

Customary Personal Data means your name, family name, title, email address, company name.

For more information regarding MailChimp please consult: <https://mailchimp.com/legal/privacy/>

### **6. How is your Personal Data retained?**

All Personal Data related to the data subject shall not be retained longer than the time required for satisfying the aforementioned purposes, subject to the legal periods of limitation and to the situations where the applicable laws authorise or require that the Personal Data be retained for a certain period of time after the termination of a relationship.

For the performance of pre-contractual steps when entering into discussions with you based on your offer of services, or on the type of exchanges planned, your Personal Data is processed only for the duration of time which is needed by SEQVOIA to manage such request and during our subsequent potential contractual relationship that may derive from your initial request as the case may be.

Where no contractual relationship derives from such initial request:

- The processing and storage of your Personal Data as collected through email and other forms of communication can last up to a three-year period starting from their collection by SEQVOIA or from the last contact with you (as the case may be).

Where a contractual relationship exists:

The Personal Data collected as part of the delivery of the Services or as part of the Exchanges will be retained for the duration of the agreement between SEQVOIA and your organisation plus an additional 3 years. This retention period may be shorter or longer if defined so in the agreement between SEQVOIA and your organisation.

Where the data subject has otherwise entered into a contractual relation with SEQVOIA, the data protection provisions relating to that relationship (either for the use of one of our licensed services or in case of employment changes) shall apply in addition to the present terms applying in your capacity as data subject.

## **7. Your rights and how to exercise your rights**

Subject to the conditions of the Data Protection Legislation, the data subject may request from SEQVOIA any of the following:

- right to access his/her Personal Data (i.e the right to obtain from SEQVOIA confirmation as to whether or not personal data concerning the data subject is processed, and, where that is the case, access to the personal data and relevant information in that regard),
- rectification of his/her Personal Data (i.e the right to obtain from SEQVOIA without undue delay the rectification of inaccurate personal data concerning the data subject (subject to providing satisfactory evidence to that effect) and taking into account the purposes of the processing, the right to have incomplete personal data completed),
- erasure of his/her Personal Data,
- restriction of the processing of his/her Personal Data (i.e the marking of stored personal data with the aim of limiting their processing in the future),
- right to object to the processing of the Personal Data (i.e the right to object, on grounds relating to the data subject's particular situation, at any time to processing of personal data concerning him or her which is based on satisfying the legitimate interests pursued by SEQVOIA. Should this right be exercised, SEQVOIA shall no longer process the Personal Data unless SEQVOIA demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims),
- where relevant, right to request the portability of his/her Personal Data (i.e the data subject is allowed to receive personal data concerning him or her which he or she has provided to SEQVOIA in a structured, commonly used, machine-readable format, and to transmit it to another controller).

Moreover, to the extent processing happens on the basis of the consent, you have the right to withdraw your consent at any time. Where such withdrawal will impact the services rendered to SEQVOIA such withdrawal will impact the Services and thus could lead to a termination of the contractual relationship with SEQVOIA. Where such withdrawal will impact the exchanges agreed with SEQVOIA such withdrawal will impact the Exchanges and thus could lead to a termination of the contractual relationship with SEQVOIA.

Similarly, to the extent processing happens on the basis of a contractual agreement or SEQVOIA's legitimate interest, you have the right to restrict or object to your Personal Data processing and to erase your Personal Data. Such query will impact the services provided to SEQVOIA and prevent the continuation of the Services. Such query will impact the exchanges agreed with SEQVOIA and prevent the continuation of the Exchanges.

The data subject can exercise the above-mentioned rights by contacting: [info@seqvoia.com](mailto:info@seqvoia.com)

The data subject also has the right to lodge a complaint or a notice of an alleged infringement to the GDPR with a supervisory authority, in particular in the Member State of his/her habitual residence, place of work (the supervisory authority is the "*Commission Nationale pour la Protection des Données*" in Luxembourg).