

## Privacy Notice (December 2018)

Please read carefully the present privacy notice on the processing of personal data (the "**Privacy Notice**") when choosing to navigate and use fund■D (the "**Software**").

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 through the Software.

#### 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 user may exercise the rights set out in section 7 by written request to be sent to: [info@seqvoia.com](mailto:info@seqvoia.com) (the "**Contact Email**").

### 2. What data do we process?

As user of the Website, you are informed that SEQVOIA collects and processes personal data, such as your IP address (or any device ID) and:

- first name, last name, company name, email, phone number, message content when contacting us via the Request a Demo form (the "**Demo Request Form**");
- first name, last name, company name, email, when contacting us for subscription to our newsletter (the "**Newsletter Form**");
- email and other personal data that you would provide to us by sending us an email to our Contact Email or otherwise;

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

When a user contacts SEQVOIA in order to submit or to respond to a job offer, the Personal Data is either collected directly by SEQVOIA through the Contact Email (or any other contact email belonging to SEQVOIA), or, as the case may be, the personal data can be collected by SEQVOIA from third parties involved in the context of the user's potential hiring process such as recruitment agencies or dedicated online job platforms. Moreover, SEQVOIA can also collect Personal Data by using social media networks such as LinkedIn, Google+ or Facebook or other public online sources or databases in the course of the management of a user's hiring process. Personal data not directly collected from you may include in addition to name all information publicly available on public online sources or databases, such as evaluations, prior employers, date of birth, nationality, residence and all other information received from the hiring agencies or other third parties involved in the hiring process (the "**Collected Personal Data**").

(Disclosed Personal Data and Collected Personal Data shall be referred herein as "**Personal Data**")

Your IP address will only be analysed for identification in the event of your unlawful or fraudulent use of the Website and in relation with our use of cookies. More details can be found under <http://www.seqvoia.com/cookie-policy>.

Any personal data collected by us via the fund■D platform will be processed in accordance with the specific data protection provisions that are included in your user/subscription contract.

To the extent possible, please ensure when sending a request to our Contact Email not to include any personal data that is not absolutely necessary for the management of or dealing with your request addressed to us via the Website. 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 in the content or attachment of your request. Where information of another natural person is included in a correspondence send to us, we assume that the user processes that personal data lawfully and has informed and 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 managing your request in the content or attachment of your email, you acknowledge and consent that SEQVOIA may have to process such type of data when reviewing and dealing with your request and that such data may be stored by SEQVOIA.

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

SEQVOIA will only process your Personal Data for purposes related to the management of your request sent to us on the Demo Request Form or Newsletter Form or via our Contact Email.

The legal grounds for such processing of your Personal Data depend on the nature of the request.

Thus the grounds for such processing of your Personal Data are that such processing are (combined or separately as applicable):

- i) linked to the express consent that you have given to us in order to collect and process your personal data when submitting a request on the appropriate section of our Website (notably to receive the newsletter and/or marketing communications), and/or,
- ii) necessary for the performance of pre-contractual measures when entering into discussions with any user, and/or,
- 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) of a continuous functioning of the Website.

To the extent Personal Data is directly provided in your contact email we consider that you have consented (or obtained consent from a concerned data subject) to provide us with such Personal Data for the purpose of managing and following up on your request.

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

Your Personal Data collected through the Software will be accessible to:

- The authorised staff of SEQVOIA,
- SEQVOIA's IT infrastructure as hosted by Amazon Web Services, Inc.,
- SEQVOIA's IT service provider Victor Buck Services S.A.,
- 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 choices you have taken and the services requested 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 user 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 our offer of services or for managing a job application, 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 the Demo Request Form or the Newsletter Form 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);
- The Personal Data will be processed and stored by SEQVOIA up to a three-year period after the last contact with a user/candidate for a job application.

In any case, you remain entitled to unsubscribe (opt-out) at any time to the reception of the newsletters and/or other marketing communications.

Where the user 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 contract provisions) shall apply in addition to the present terms applying in your capacity as user of the Website

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

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

- (a) 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 user is processed, and, where that is the case, access to the personal data and relevant information in that regard),
- (b) 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 user (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),
- (c) erasure of his/her Personal Data,
- (d) 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),
- (e) right to object to the processing of the Personal Data (i.e the right to object, on grounds relating to the user'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 user or for the establishment, exercise or defence of legal claims),
- (f) where relevant, as from May 25th 2018, right to request the portability of his/her Personal Data (i.e the user 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. Such withdrawal will impact the services that SEQVOIA shall be able to provide.

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

The user 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).