

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 (the "**Contact Email**").

2. What data do we process?

As user of the Software, you are informed that SEQVOIA collects and processes personal data, such as:

- Name, title, gender, professional phone number, professional email address, employer and job title when creating an account granting you access rights to the Software;
- Security password when SEQVOIA issues a temporary password or when you update your password;
- Current responsibilities and projects when creating an account granting you access rights to the Software;
- Leaving date and/or information that you have left the organisation, delivered by your employer, when reviewing the list of active users on the Software;
- Email signature when you define it in the Software to add in emails issued by the Software on your behalf;
- Activity in the Software and statistics on such activity as soon as you log into the Software and upon every action you perform in the Software;
- IP address (or any device ID) when you log onto the Software;

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

On top of all Disclosed Personal Data about Software users collected by the Software, the Software will also collect data about Data Subjects who do not use the Software but rather contribute to the update cycle of documents managed in the Software:

- Activity in a document's update cycle and statistics on such activity when a document is recorded in the Software and contains such information (e.g. in properties or in track changes).

(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 Software 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 Software 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 inputting information in the Software not to include any personal data that is not absolutely necessary for the delivery of the service via the Software. 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 the Software, we assume that the user 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 service via the Software, 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 system users;
- Security of the Software and all data processed through it;
- Enhancement of email communications sent by the Software on your behalf (e.g. inclusion of your email signature in them);
- Complete traceability of document and data (creation, update, deletion) managed in the Software as part of the service delivered;
- Statistical evaluation of the Software usage;
- Maintenance of the Software.

The detailed activity log will only be analysed during the investigation of severe technical issues or in the event of unlawful or fraudulent use of the Software.

The legal grounds for such processing of your Personal Data depend on the context under which you access the Software. 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 grant access to the Software without any contractual agreement between SEQVOIA and your organisation for the delivery of services,
- ii) necessary for the delivery of the service as contractually agreed between SEQVOIA and our customers (e.g. your organisation),
- 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 Software.

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,
- 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 Ireland which can operate maintenance operations on its servers);
- The authorised external developers hired by the Supplier who carry out operations related to IT system support, IT system maintenance, and IT programming and architecture design operations.

5. 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.

- The processing and storage of your Personal Data as collected as part of the account creation to grant you access to the Software and the enhancement of email communication by including an email signature is retained for the duration of the agreement between SEQVOIA and your organisation and/or until a regular user review identifies that you should no longer have access to the Software;
- The Personal Data collected as part of the delivery of the service to an organisation (traceability of changes to document and data) will be retained for the duration of the agreement between SEQVOIA and your organisation plus an additional 10 years or as long as defined in the agreement between SEQVOIA and your organisation (whichever is shorter);
- The Personal Data collected for security, statistical evaluation of the Software usage and maintenance of the Software will be retained for a duration of 10 years.

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 Software.

6. 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 and is likely to prevent the user from using the Software.

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 that SEQVOIA shall be able to provide and is likely to prevent the user from using the Software.

The user can exercise the above-mentioned rights by contacting: 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).