



# **GROUP VISIATIV PRIVACY POLICY**



## CONTENTS

|   |          |
|---|----------|
| <b>1. Definitions</b>   | <b>3</b> |
| <b>2. What is the objective of this policy and who is it for?</b>   | <b>3</b> |
| <b>4. In what capacity does Visiativ act when it processes your Personal Data, for what purposes, for how long and on what basis?</b> | <b>4</b> |
| a. When you are a visitor to our Website  | 4        |
| b. When you are a Customer or potential customer, a Visiativ partner or supplier  | 4        |
| <b>5. What does it mean to be a data controller or subprocessor?</b>  | <b>6</b> |
| a. Data controller  | 6        |
| b. Subprocessor   | 6        |
| <b>6. What type of personal data does Visiativ process?</b>   | <b>7</b> |
| a. When Visiativ is a data controller   | 7        |
| b. When Visiativ is a subprocessor  | 7        |
| <b>7. Who are the recipients of your Personal Data?</b>   | <b>7</b> |
| a. Authorised third-party service providers   | 7        |
| b. Visiativ Group entities  | 7        |
| c. Visiativ's partner entities  | 8        |
| d. Administrative and judicial authorities  | 8        |
| <b>8. Are your Personal Data processed outside the European Union?</b>  | <b>8</b> |
| <b>9. Who should you contact? The Visiativ DPO</b>  | <b>8</b> |
| <b>10. What security measures does Visiativ take as part of its solutions?</b>  | <b>8</b> |
| <b>11. Your responsibilities as a data controller</b>   | <b>9</b> |
| <b>12. Privacy Policy evolutions</b>  | <b>9</b> |



## 1. Definitions

“**Customer**” means any natural or legal person acting in a professional capacity who has concluded a contract with Visiativ.

“**DPO**” means Visiativ’s Data Protection Officer.

“**Applicable legislation**” means all laws and regulations applicable to personal data and in particular the European General Data Protection Regulation no. 2016/679 of 27 April 2016, in force since 25 May 2018 (known as “GDPR”), and the amended “Data Protection Act” no. 78-17.

“**Services**” means all services Visiativ offers its Customers.

“**Solutions**” means all software solutions Visiativ offers, especially under Licences and/or SaaS-based.

“**Users**” means natural persons whose personal data Visiativ processes as a subprocessor (your employees, staff, customers etc.) (i) as a result of the provision of Solutions by the Customer to these natural persons for the purposes of their professional activity, in particular as a result of access to and use of SaaS Solutions and/or (ii) as a result of the performances of the Services which are covered by the contract between the Customer and Visiativ.

“Visiativ” means:

- If you are a customer or potential customer, partner or supplier: the company belonging to the Visiativ Group named in the contractual or pre-contractual documents that have been sent to you;
- If you are a visitor to one of the websites belonging to the Visiativ Group: the company identified as the publisher in the legal notice on the site.

“**Your Personal Data**” means all the personal data that you directly or indirectly provide Visiativ with or which your Users directly or indirectly provide Visiativ with, whether you are a Visiativ Customer or potential Customer, Partner and/or Visiativ Supplier or a Visiativ website visitor.

## 2. What is the objective of this policy and who is it for?

Visiativ pays special attention to the protection of your Personal Data, to its customer’s data and to compliance with the application Legislation.

The objective of this Policy is to inform you how Visiativ processes your Personal Data when you are:

- A Visiativ Customer or potential customer;
- A Visiativ Partner and/or Visiativ Supplier;
- A visitor to the websites belonging to Visiativ (hereinafter the “Websites”)

It should be noted that this Policy does not process Visiativ employees’ information. This Policy may be supplemented by any document brought to your attention.

## 3. Scope and application

This Group privacy policy applies to all Visiativ Group entities. For entities located outside the European Union, please refer to the local policy of the subsidiary concerned.



4. In what capacity does Visiativ act when it processes your Personal Data, for what purposes, for how long and on what basis?

a. When you are a visitor to our Website

Visiativ is a **data controller** and processes data for the following purposes:

| Purpose   | Retention period   | Reason for processing  |
|---|--|--|
|   | Your personal data, relating to these forms of processing, are retained:         |  |
| Management of contact enquiries                       | For as long as is needed to respond to the enquiry                               | Required to carry out pre-contractual action to respond to your enquiry  |
| Marketing   | Data may be retained for a maximum of two years from the end of the relationship | Your consent.<br>You can at any time decide that your data may no longer be processed by contacting us at:<br><a href="mailto:privacysecureite@visiativ.com">privacysecureite@visiativ.com</a> |
| Management of document requests                       | For as long as is needed to respond to the enquiry                               | You can at any time decide that your data may no longer be processed by contacting us at:<br><a href="mailto:privacysecureite@visiativ.com">privacysecureite@visiativ.com</a>                  |
| Management of requests to subscribe to our newsletter | Until you unsubscribe  | You can at any time decide that your data may no longer be processed by contacting us at:<br><a href="mailto:privacysecureite@visiativ.com">privacysecureite@visiativ.com</a>                  |
| Management of client quotations                       | For as long as is needed to respond to the enquiry                               | Required to carry out pre-contractual action to respond to your enquiry  |

Information on cookies is specified on the concerned website.

b. When you are a Customer or potential customer, a Visiativ partner or supplier

Visiativ is a data controller and processes data for the following purposes:



| Purpose   | Secondary   | Retention period  | Reason for processing   |
|---|---|---|---|
|   | Management of:  | Your personal data, relating to these forms of processing, are retained:  |   |
| Management of contractual relationships or future contractual relationships | Identity and authentication of the customer/potential | For the duration of the contract and for the period imposed and/or authorised by the applicable legal texts and/or regulations  | Required to execute the contract we have with you or to carry out pre-contractual action to respond to your enquiry   |
|   | The order   |   |   |
|   | Purchases/quotations                                  |   |   |
|   | Invoicing and payment collection                      |   |   |
|   | Pre-sales and sales service                           |   |   |
|   | After-sales service                                   |   |   |
|   | Security and legal responsibilities                   |   |   |
|   | Terminations  |   |   |
|   | Claims  |   |   |
|   | Customer communication                                |   |   |
|   | Incoming mail   |   |   |
|   | Amicable recovery of non-payments                     |   |   |
| Disputes  |   |   |   |
| The development and improvement of our business and products/services       | Marketing   | As long as is needed to achieve the target objectives.  | You can at any time decide that your data may no longer be processed by us by contacting us at <a href="mailto:privacysecureite@visiativ.com">privacysecureite@visiativ.com</a> |
|   | Questionnaires/ satisfaction surveys                  | Regarding processing relating to marketing, data may be retained for a maximum of three years from the end of the relationship. |   |
|   | Event organisation                                    | The data is also retained for the period imposed and/or authorised by the applicable legal texts and/or regulations             | Our legitimate interests (improving our products/services, building loyalty, developing our business)   |
|   | Statistics and analysis                               |   |   |
| Compliance with legal and regulatory requirements                           |   | Your data is also retained for the period imposed and/or authorised by the applicable legal texts and/or applicable regulations | Required for compliance with the legal obligation the data controller is subject to   |



Visiativ acts as a **subprocessor** for the following data processing purposes, according to the Services provided for in the contract between Visiativ and its Customer:

| Purpose                                       | <u>Secondary purpose</u><br>They may not be exhaustive as they are specific to each contract | <u>Retention period</u><br>Your personal data, relating to these forms of processing, are retained:   | Reason for processing                                       |
|---|--|---|---|
|   | Hosting  | For the duration of the contract or longer if you instruct us, and during the imposed period and/or authorised by the legal texts and/or applicable regulations | Required for the performance of a contract we have with you |
| Execution of its contractual obligations<br>- | Assistance/support   |   |   |
|   | Managed services   |   |   |
|   | Solution installation  |   |   |
|   | User registration  |   |   |
|   | Training   |   |   |

### 5. What does it mean to be a data controller or subprocessor?

When Visiativ processes your Personal Data its role is either data controller or subprocessor (under the applicable Legislation), as stated in the previous section.

#### a. Data controller

Visiativ is a data controller and processes data **on its own behalf** (it decides on the creation of this processing, what it is created for and the conditions to implement it).

#### b. Subprocessor

Visiativ is a subprocessor and processes data **on behalf of and on the instructions of the controller**.

This includes processing personal data at the request of Customers and/or Users.

In this case, Visiativ is a subprocessor.

In its capacity as a subprocessor, Visiativ undertakes to only act on the instructions of the Customer responsible for data control.

The processing of Personal Data carried out by Visiativ and its authorised subprocessors (see the tab "Who receives Your Personal Data") is exclusively that which is strictly necessary to carry out the services you order, in accordance with your instructions and our contractual terms and conditions,



and any other use is prohibited without your express prior consent. The principle of minimising Data Collection will apply whenever possible.

In all situations, Visiativ expressly refrains from renting or reselling Your Personal Data.

## 6. What type of personal data does Visiativ process?

### a. When Visiativ is a data controller

Visiativ may process the following categories of personal data when you visit our Websites or when we have a contract with you:

- Civil status, identity, identification data, images
- Economic and financial information (financial situation, tax status, etc.)
- Profession
- Personal life (prospects' habits)
- Connection data (IP address, logs, etc.)
- Other (information of interest excluding any sensitive data)

### b. When Visiativ is a subprocessor

This depends on you and the Services you have subscribed to.

In principle, Visiativ does not have direct access to your Personal Data when it is transmitted via our Solutions (except, for example, for the management of access to the Solutions and Services, and in particular for the registration of Users, depending on the Solutions: surname, first name, e-mail address).

Consequently, to abide by our respective commitments, we will ask you to check all of your Personal Data that will potentially be transmitted via our Solutions and to communicate them to us upon request.

In particular, Visiativ must be expressly informed if your Personal Data is known as "sensitive" data as stated in the applicable Legislation. In this case, Visiativ reserves the right to refuse the processing of such "sensitive" data and in particular the processing of health data.

Visiativ will do its best to adapt, if necessary, its security and organisational criterion in relation to the personal data concerned and according to the solutions available. It is important that as the Data controller, you identify your Personal Data to be processed within and with the Visiativ Solutions and Services.

## 7. Who are the recipients of your Personal Data?

### a. Authorised third-party service providers

To provide you with services in the most satisfactory way possible, Visiativ may give expressly authorised third parties direct or indirect access to some of your Personal Data. We have therefore established partnerships with several selected service providers whose services and solutions complement, facilitate and improve our own services, or are necessary for the provision of these services. These service providers have been selected in accordance with our security management policy in terms of the relationship with co-contractors. This policy sets out, in particular, the security criteria that the third party must meet in order to be selected by Visiativ.

These service providers may include notably: software editors and services support providers, hosting service providers, cloud providers and server sharing providers; communication and content delivery network (CDN) operators; IT and data security service providers, invoicing and payment processors; domain name registrars; fraud detection and prevention service providers; web analytics, e-mail distribution, session recording and remote access, performance measurement providers; content providers; legal and financial advisers.

### b. Visiativ Group entities

Other companies in the Visiativ Group may have access to your Personal Data, as subprocessors, for the sole purpose of providing the services or when you have given your consent.

Other companies in the Visiativ Group include any company which is controlled by, which controls or which is under common control with a Party within the meaning of Article L.233-3 of the French Commercial Code.



c. Visiativ's partner entities

When you have agreed to receive offers and information from them.

d. Administrative and judicial authorities

Visiativ may be obliged, in order to comply with a legal or regulatory condition, to supply some of your personal data at the request of an administrative or judicial authority without being able to refuse on the grounds of professional secrecy.

In the event of this, Visiativ takes all necessary precautions in the transmission of your Personal Data, in particular by ensuring that there is a legal basis and legitimate interest in the transmission.

## 8. Are your Personal Data processed outside the European Union?

Your Personal Data are processed, hosted and stored on secure servers within the European Union.

If, in exceptional circumstances, the data is hosted outside the European Union

this would only be if the transfer outside of the European Union meets one of the following conditions:

- The processing is carried out by a 'third party' and benefits from a decision on adequacy from the European Commission;
- The processing is governed by standard contractual clauses issued by the European Commission;
- The processing is governed by "Binding Corporate Rules".

Visiativ provides all technical information on its Solution hosting conditions upon request.

If the recipients of your Personal Data are located outside the European Union, Visiativ ensures that the processing they carry out is governed by at least one of the above-mentioned compliance tools (with the exception of recipients acting through the administrative or judicial authorities or any other public body authorised to receive personal data, which Visiativ is not contractually bound with).

### What are your rights?

When Visiativ processes your Personal Data in the capacity of data controller you have the right to access, rectify and delete this data and notably to give your instructions for the future.

You may also have the right to the portability of your Personal Data and the right to object to the processing carried out, or to request the limitation of this processing in accordance with the applicable Legislation.

## 9. Who should you contact? The Visiativ DPO

You may exercise your rights and/or contact the Data Protection Officer (DPO) by writing to the following email address: [privacysecurity@visiativ.com](mailto:privacysecurity@visiativ.com)

If you believe Visiativ has not respected your rights, and after informing and exchanging with Visiativ, you may escalate a complaint to the local authority.

## 10. What security measures does Visiativ take as part of its solutions?

It should be noted that the measures listed in this section are not exhaustive.

Visiativ has implemented an information security management system in accordance with the ISO 27001 standard principles. Security roles and responsibilities are defined. These security policies and procedures are described in a security assurance plan, which is available on request.

In particular, Visiativ has introduced the following measures to ensure the security of the processing of your Personal Data: physical security of the premises; organisational security: clearance process for access to data processing information systems; software security: password policy, protection of sensitive computer environments; detection of abnormal events on the information system, detection of data leaks, implementation of control procedures and internal self-assessment to ensure the maintenance of the security level over time.





## 11. Your responsibilities as a data controller

As a Data Controller in direct contact with your Users, as part of making the Solutions available, it is your responsibility in particular:

- to clearly inform Users about the processing carried out via the Solutions and for the performance of the contract linking you to Visiativ, the main principles of which are summarised in this Policy, subject to the specifics of the service subscribed to and the Solution concerned;
- to obtain Users' consent if you consider it necessary;
- allowing them to exercise their rights, such as their right to object, withdraw, limit or oppose;
- To answer User queries relating to their rights and their assurance of the effective exercising of these rights.
- To manage any security crisis or breach.

Furthermore, Visiativ offers freely accessible blogs, communities and support forums as part of Solutions. Consequently, you must ensure that your Users bear in mind that all the information they provide in each of these shared spaces can be read, collected and used by all the other people who have access to them.

Finally, to meet our respective commitments:

- we will ask you to identify all of your Personal Data that will potentially be transmitted via our Solutions;
- Visiativ does not manage Personal Data. In particular, Visiativ must be expressly informed if your Personal Data contains data known as "sensitive" as stated in the applicable Legislation.

In this situation, we reserve the right to refuse the processing of this data on your behalf.

## 12. Privacy Policy evolutions

The latest version is one applicable.

This Privacy Policy may be subject to change. Last update 05/24/2023.