

PRIVACY POLICY FOR CUSTOMER, PROSPECT AND PARTNER REGISTER

This privacy policy has been modified latest on: 20 May 2021

1 DATA CONTROLLER

Solibri Oy (Business ID 1058643-9) ("**Solibri**")

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2 DATA PROTECTION OFFICER

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3 NAME AND PURPOSE OF REGISTER

3.1 Name of the Register is Solibri Oy's Customer, Prospect and Partner Register.

3.2 The register and this policy apply to persons who are representatives or employees of Solibri's customers, customer prospects and cooperation partners. Each such person is defined in this policy as "person". Cooperation partners can be e.g. Solibri's partners i.e. resellers of Solibri's products and services and Solibri's merchants i.e. third parties whose products and services can be purchased from Solibri's webshop.

3.3 Provision of the Personal Data for the purposes of provision of Solibri's products and services and performance of a contract, Solibri's legitimate interests and Solibri's legal obligations is obligatory. If Solibri does not have the data it requests, it may not be able to provide the customer with Solibri's products and services.

3.4 In order for Solibri to comply with legislation, Solibri and its customer might have entered into a data processing agreement regarding Solibri's processing of customer's Personal Data ("**DPA**") when Solibri is the processor of such Personal Data. In such case, the terms of the DPA prevail over the provisions in this policy and the person must contact his/her employer or other organization regarding matters related to his/her Personal Data.

4 PURPOSES FOR PROCESSING AND LEGAL BASIS FOR PROCESSING

4.1 The purposes for processing of Personal Data are as follows:

- a) Provision of Solibri's products and services and performance of a contract or in order to take steps prior to entering into a contract. Use of Solibri's contractual rights. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for these purposes.
- b) Identification of users to the users' organization for the purpose performance of a contract and provision of Solibri's products and services. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for this purpose.
- c) Creation of statistics of use of Solibri's products and services. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for this purpose. This data is made anonymous where reasonably possible and thereafter does not constitute Personal Data.

- d) Development of Solibri's products and services and Solibri's business. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for this purpose.
- e) Taking care of data security. "Legal obligations" is the legal basis for processing of the Personal Data for this purpose.
- f) Preventing fraud. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for this purpose.
- g) Identification of trial users or customers to Solibri's partners (i.e. resellers of Solibri's products and services) for the purpose of the partners offering Solibri's and/or Solibri's partners' products and services. "Consent" is the legal basis for transfer of the Personal Data for this purpose.
- h) Cooperation with Solibri's cooperation partners. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for this purpose.
- i) Marketing of Solibri's products and services by Solibri and its subsidiaries Solibri DACH GmbH (Germany), Solibri UK Ltd (UK) and Solibri LLC (U.S.A.), within the boundaries set by law. When consent is required according to legislation for marketing, "consent" is the legal basis for processing of the Personal Data for this purpose. When legislation does not require consent for marketing, "the legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data for this purpose. "The legitimate interests pursued by Solibri" is the legal basis for processing of the Personal Data within Solibri group of companies.

4.2 The legal basis for the processing of Personal Data:

- a) "Consent". Consent to the processing is the legal basis for processing of Personal Data to the extent mentioned above in Section 4.1. If a person withdraws a consent given to the processing of Personal Data when the legal basis of processing is "consent", the withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.
- b) "Legal obligations" is the basis for processing of the Personal Data to the extent mentioned above in Section 4.1.
- c) "The legitimate interests pursued by Solibri" to the extent mentioned above in Section 4.1. Solibri has considered that Solibri's legitimate interests are not overridden by the interests or fundamental rights and freedoms of the persons.

Such **legitimate interests** exist as there is a relevant and appropriate relationship with the person and/or its organization, such as a customer, trial customer or cooperation relationship with Solibri. The interests and fundamental rights and freedoms of the persons are respected, as no special categories of Personal Data are processed and the persons can expect Solibri's processing activities. Provision of Solibri's products and services and performance of a contract would not be possible without using the Personal Data. Solibri's security methods described in Section 10 are maintained by Solibri in order to protect the data from unauthorized access.

5 CONTENT OF REGISTER AND CATEGORIES OF PERSONAL DATA

- 5.1 "**Personal Data**" means any information relating to an identified or identifiable natural perso; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- 5.2 The register includes the following data. Whether or not the data actually constitutes Personal Data depends on whether the data can be considered Personal Data according

to the definition above. For example, if a data identifies only an organization such as a company, the data is not Personal Data.

5.3 The register includes the following data:

- (a) name;
- (b) user name;
- (c) title;
- (d) position;
- (e) address;
- (f) employer or other organization;
- (g) language;
- (h) email address;
- (i) phone number;
- (j) financial information (credit card details, account details, payment information), which is collected and processed by payment services subcontractor(s) directly;
- (k) interests or preferences (including purchase history and marketing preferences); IT information (usage data, cookies data, online navigation data, browser data);
- (l) communication between Solibri and/or Solibri's partner (i.e. reseller of Solibri's products and services) and customer or person;
- (m) communication between Solibri and/or Solibri's merchant (i.e. third parties whose products and services can be purchased from Solibri's webshop) and customer or person.

6 SOURCES OF PERSONAL DATA

6.1 The primary source of Personal Data is the person or the person's organization.

6.2 Other sources wherefrom Personal Data can be collected are:

- (a) Suomen Asiakastieto Oy or other marketing data sources;
- (b) Usage of Solibri's products and services;
- (c) Solibri's partners i.e. resellers of Solibri's products and services. Solibri can receive from the partners e.g. information required for the purpose of invoicing Solibri's products and services and provision of Solibri's products and services;
- (d) Solibri's merchants i.e. third parties whose products and services can be purchased from Solibri's webshop.

7 RECIPIENTS OR CATEGORIES OF RECIPIENTS OF PERSONAL DATA

7.1 Personal Data may be transferred to all the following different parties.

- (a) Solibri's following subsidiaries, for the purposes of Solibri's Processing as set out in Section 4.1:
 - (i) Solibri LLC, U.S.A.
 - (ii) Solibri UK Ltd, UK
 - (iii) Solibri DACH GmbH, Germany
- (b) Solibri's partners i.e. resellers of Solibri's products and services:

- (i) for the purpose of invoicing and enabling the provision of Solibri's products and services, offering Solibri's and/or Solibri's partners' products and services and for the purpose of financial arrangements between Solibri and the merchant. Solibri's partners are not Solibri's subcontractors.
 - (c) Solibri's merchants i.e. third parties whose products and services can be purchased from Solibri's webshop:
 - (i) for the purpose of invoicing and enabling the provision of the merchants' products and services and for the purpose of financial arrangements between Solibri and the merchant. Solibri's merchants are not Solibri's subcontractors.
 - (d) Solibri's subcontractors e.g. in the ICT, event management, payment and financial services, user and license identification field, who process the Personal Data on Solibri's behalf for the purpose of providing services to Solibri and with whom Solibri has entered into data processing agreements.
- 7.2 Solibri will on the person's request provide information on the then current subcontractors. The subcontractors may use also their affiliates and/or subcontractors in the processing of the Personal Data.

8 TRANSFERS OF PERSONAL DATA TO THIRD COUNTRY

- 8.1 Solibri and the subcontractors might transfer the Personal Data to countries outside the European Economic Area (EEA) and European Union (EU) ("**Third Country**") for the purposes set out in this policy.
- 8.2 The legal basis for the transfer of Personal Data to Third Countries is Solibri's or the subcontractors' Binding Corporate Rules, European Commission's Standard Contractual Clauses for the transfer of Personal Data to processors established in third countries ("**Standard Contractual Clauses**"), alternative data export mechanisms for the lawful transfer of Personal Data (as recognized under EU data protection laws) or other legal basis.
- 8.3 If there is no legally based right to transfer the data to a Third Country*), the basis of the transfer is the person's consent to the transfer which is asked separately, in which case the person is hereby informed of the risks of such transfers. Such risks may include that the level of protection of individuals arising out of the EU laws is not necessarily guaranteed in those Third Countries, which can include e.g. that third parties or authorities can have access to the data to wider extent than according to EU laws, the security methods might not be at the level as regulated under EU laws and the users might not have effective remedies to inspect their data, rights to access their data or get their data corrected at the level as regulated under EU laws.
- *) A legally based right to transfer the data to a Third Country can be e.g. the following: (i) the EU Commission has decided that the Third Country ensures an adequate level of protection, (ii) the transferee has entered into the Standard Contractual Clauses, or (iii) there is other legal basis for the transfer, such as so-called privacy shield approved by the EU Commission.
- 8.4 Also, the person might use Solibri's products or services in Third Countries or the person might contact Solibri from locations in Third Countries. In such situations, it is deemed that the person has consented to the transfer of the relevant Personal Data to Third Countries.

9 PERIOD FOR WHICH PERSONAL DATA WILL BE STORED

- 9.1 Information regarding the contractual relationship is processed for the time until claims related to the contractual relationship expire. Main rule according to Finnish law for claims related to the contractual relationship to expire is three years.

- 9.2 Information regarding the contractual relationship can be processed for longer than the above-mentioned time period, if the Personal Data in question is necessary for the establishment, exercise or defence of legal claims.

10 METHODS HOW REGISTER IS SECURED

The Personal Data processed by Solibri is secured by using the following methods and principles:

- (a) locks at Solibri's premises;
- (b) electrical surveillance systems of Solibri's premises and equipment;
- (c) firewall, anti-malware and spam filtering systems of Solibri's communication networks and other software and hardware that protect the security of communication networks;
- (d) mandatorily required high quality passwords;
- (e) personal user rights that can be traced in the systems;
- (f) limited number of superusers;
- (g) professional knowledge of Solibri's personnel;
- (h) training of Solibri's personnel;
- (i) the content of the register is in electronic form except for temporary special occasions; and
- (j) Solibri's policies and guidelines relating to Personal Data matters.

11 RIGHT OF ACCESS

- 11.1 The person has the right to get information on which Personal Data on the person is being processed by Solibri or information that no such Personal Data is being processed.
- 11.2 Where such Personal Data is being processed by Solibri, Solibri shall provide the person with a copy of the Personal Data and the following information:
- (a) the purposes of the processing;
 - (b) the categories of Personal Data concerned;
 - (c) the recipients or categories of recipients to whom the Personal Data is to be or has been disclosed;
 - (d) the period for which the Personal Data will be stored;
 - (e) the existence of the right to request from Solibri rectification or erasure of Personal Data concerning the person or to object to the processing of such Personal Data;
 - (f) the right to lodge a complaint to the supervisory authority and the contact details of the supervisory authority;
 - (g) communication of the Personal Data undergoing processing and of any available information as to its source; and
 - (h) the significance and envisaged consequences of such processing, at least in the case of measures which produce legal effects concerning the person or significantly affects this person and which are based solely on automated processing intended to evaluate certain personal aspects relating to this natural person or to analyse or predict in particular the natural person's performance at work, economic situation, location, health, personal preferences, reliability or behaviour.

- 11.3 For any further copies requested by the person, Solibri may charge a reasonable fee based on administrative costs.

12 RIGHT TO DATA PORTABILITY

At the person's request, if Solibri processes the Personal Data based on the person's consent or based on a contract with the person and if the processing is carried out by automated means:

- (a) Solibri shall provide the person with the Personal Data which he or she has provided to Solibri, in a structured, commonly used and machine-readable format;
- (b) On the person's request and if technically feasible, Solibri must transmit the Personal Data in the same format directly to another controller.

13 RECTIFICATION AND RIGHT TO LODGE COMPLAINT WITH SUPERVISORY AUTHORITY

- 13.1 Solibri shall, at the person's request, without undue delay correct, erase or supplement Personal Data contained in its Personal Data register in case of erroneous, unnecessary, incomplete or obsolete Personal Data taking into account the purpose of the processing, including by way of supplementing a corrective statement.

- 13.2 If Solibri does not take such action on the person's request, Solibri shall inform the person without delay and at the latest within one month of receipt of the request of the reasons for not taking action and on the possibility of lodging a complaint with a supervisory authority and seeking a judicial remedy. Please note that the person may bring the matter to be handled by the Data Protection Ombudsman.

- 13.3 The person has the right to lodge a complaint to the supervisory authority. The contact details of the supervisory authority:

www.tietosuoja.fi

Office of the Data Protection Ombudsman

P.O. Box 800

FIN-00521 HELSINKI

FINLAND

Address:

Ratapihantie 9, 6rd floor

00520 HELSINKI

Tel: +358 29 56 66700 (exchange)

Fax: +358 29 56 66735

Email: tietosuoja@om.fi

14 RIGHT TO OBJECT PROCESSING

The person has the right to object, on grounds relating to his/her particular situation, to the processing of Personal Data which is based on either of the following legal basis for processing: (i) when processing has been found necessary for the purposes of the legitimate interests of Solibri or (ii) when processing has been found necessary in order to protect the person's vital interests. The person however does not have the right to object, if Solibri demonstrates compelling legitimate grounds for the processing which override person's interests or fundamental rights and freedoms.

15 RIGHT TO RESTRICTION OF PROCESSING

- 15.1 **'Restriction of processing'** means the marking of stored Personal Data with the aim of limiting its use in the future.
- 15.2 If the person requests, Solibri must restrict processing in the following situations:
- (a) the accuracy of the Personal Data is contested by the person, for a period enabling Solibri to verify the accuracy of the Personal Data;
 - (b) the processing is unlawful and the person opposes the erasure of the Personal Data and requests the restriction of its use instead;
 - (c) Solibri no longer needs the Personal Data for the purposes of the processing, but it is required by the person for the establishment, exercise or defence of legal claims; or
 - (d) the person has objected to processing, but verification whether the legitimate grounds of Solibri override those of the person is still ongoing.
- 15.3 In the situations listed above, Solibri can only process the Personal Data:
- (a) with the person's consent or for the establishment, exercise or defence of legal claims;
 - (b) for the protection of the rights of another natural or legal person;
 - (c) for reasons of important public interest of the Union or of a Member State; and
 - (d) to store the data.

16 RIGHT TO BE FORGOTTEN

- 16.1 The person has the right to have his/her Personal Data erased at his/her request if one of the following grounds applies:
- (a) the Personal Data is no longer necessary for the purposes for which it was collected or otherwise processed;
 - (b) the person withdraws consent on which the processing is based and where there is no other legal ground for the processing;
 - (c) the person objects to the processing in accordance with Section 14;
 - (d) the Personal Data has been processed unlawfully; or
 - (e) the Personal Data has to be erased for compliance with a legal obligation in Union or Member State law to which Solibri is subject.
- 16.1.2 However, Solibri does not have to erase the data based on above grounds to the extent Solibri still needs to process the data:
- (a) for exercising the right of freedom of expression and information;
 - (b) for compliance with a legal obligation which requires processing by law to which Solibri is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
 - (c) for reasons of public interest in the area of public health in accordance with legal requirements;
 - (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with legal requirements; or
 - (e) for the establishment, exercise or defence of legal claims.

17 AUTOMATED DECISION-MAKING AND PROFILING

- 17.1 The person has the right not to be subject to a measure which produces legal effects concerning the person or significantly affecting the person, and which is based solely on automated processing intended to evaluate certain personal aspects relating to the person or to analyse or predict in particular the person's performance at work, economic situation, location, health, personal preferences, reliability or behaviour.
- 17.2 Such automated decision-making is not used to process the persons' Personal Data at the moment by Solibri when its processes Personal Data according to this policy.