

PRIVACY POLICY FOR CUSTOMER, PROSPECT AND PARTNER REGISTER

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1 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 This policy applies to the processing of Personal Data of persons who are representatives or employees of Solibri's customers, customer prospects or cooperation partners. Each such person is defined in this policy as a "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 is voluntary. If Solibri does not have the Personal Data it requests, it may not be however able to provide the requested Solibri's products and services or cooperate with the customer, the customer prospect or the cooperation partner as intended.

3.4 In order for Solibri to comply with legislation, Solibri and its customer might have entered into a data processing agreement or a data processing annex or appendix regarding Solibri's processing of customer's Personal Data as the Customer's processor ("**DPA**"). In case Solibri is a processor, the person must contact his/her employer or other organization regarding matters related to his/her Personal Data.

4 PURPOSES OF PROCESSING AND LEGAL BASIS FOR PROCESSING

4.1 The purposes of the processing of the Personal Data are the following:

- a) 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 the processing of the Personal Data for these purposes.
- b) Identification of users of Solibri's products and services. "The legitimate interests pursued by Solibri" is the legal basis for the processing of the Personal Data for this purpose.
- c) Creation of statistics and analytics of use of Solibri's products and services. "The legitimate interests pursued by Solibri" is the legal basis for the 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, services, business and IT systems and solutions in production and testing environments. "The legitimate interests pursued by Solibri" is the legal basis for the processing of the Personal Data for this purpose.
- e) Taking care of data security. "Legal obligations" is the legal basis for the processing of the Personal Data for this purpose.
- f) Preventing fraud. "The legitimate interests pursued by Solibri" is the legal basis for the 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 the 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), Solibri LLC (U.S.A.) and Solibri Benelux B.V. (the Netherlands). When consent is required for marketing activities according to legislation, "consent" is the legal basis for processing of the Personal Data for this purpose. When legislation does not require a consent for the marketing activities, "the legitimate interests pursued by a Solibri company" is the legal basis for the processing of the Personal Data for this purpose.
- j) Cooperation with other companies belonging to the same group of companies as Solibri (i.e. other Nemetschek companies), for the purpose of those companies to offer their products and services. Nemetschek companies are listed here: <https://www.nemetschek.com/en/company/brands>. "The legitimate interests pursued by Solibri" is the legal basis for the processing of the Personal Data for this purpose.

4.2 The legal basis for the processing of the Personal Data:

- a) "Consent". Consent to the processing is the legal basis for the processing of the Personal Data to the extent mentioned above in Section 4.1. If a person withdraws a consent given to the processing of the 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 legal basis for the processing of the Personal Data to the extent mentioned above in Section 4.1.
- c) "The legitimate interests" is the legal basis for the processing of the Personal Data to the extent mentioned above in Section 4.1. Solibri and other Solibri companies have considered that their 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 a Solibri company. 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 companies' processing activities. The security methods described in Section 10 are maintained in order to protect the Personal 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 person; 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 as Personal Data according to the definition above. For example, if the 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) department;
 - (h) language;
 - (i) email address;
 - (j) phone number;
 - (k) usage statistics and usage analytics (both converted to an aggregated form without direct personal as soon as possible when reasonably possible);
 - (l) financial information (credit card details, account details, payment information), which is collected and processed by payment services' provider(s) directly;
 - (m) interests or preferences (including purchase history and marketing preferences); IT information (usage data, cookies data, online navigation data, browser data);
 - (n) communication between Solibri and/or Solibri's partner (i.e. reseller of Solibri's products and services) and the customer or the person;
 - (o) communication between Solibri and companies belonging to same group of companies as Solibri (e.g. other Nemetschek companies) and the customer or the person;
 - (p) communication between Solibri and/or Solibri's merchant (i.e. third parties whose products and services can be purchased from Solibri's webshop) and the customer or the person.

6 SOURCES OF PERSONAL DATA

- 6.1 The primary source of the Personal Data is the person or the person's organization.
- 6.2 Other sources wherefrom the Personal Data can be collected are:
- (a) 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) Companies belonging to same group of companies as Solibri (e.g. other Nemetschek companies);
 - (e) 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 the following third parties.
- (a) Solibri's following subsidiaries, for the purposes of Solibri companies' Processing as set out in Section 4.1:

- (i) Solibri LLC, U.S.A.
 - (ii) Solibri UK Ltd, UK
 - (iii) Solibri DACH GmbH, Germany
 - (iv) Solibri Benelux B.V., the Netherlands
- (b) Solibri's partners (i.e. resellers of Solibri's products and services) and companies belonging to same group of companies as Solibri (i.e. other Nemetschek companies):
- (i) for the purpose of invoicing and enabling the provision, creation and development of Solibri's products and services, offering Solibri's and/or Solibri's partners' and Solibri's group companies' products and services and for the purpose of financial arrangements between Solibri and the partner and between Solibri and and Solibri's group company. Solibri's partners or Solibri's group companies are not Solibri's processors.
- (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 processors.
- (d) List of Solibri's processors and/or other controllers, as updated by Solibri from time to time, is [here](#).

8 TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES

- 8.1 Solibri and its processors and/or other controllers might transfer the Personal Data to countries outside the European Economic Area (EEA) and European Union (EU) ("**Third Country**").
- 8.2 The legal basis for the transfer of the Personal Data to Third Countries is Solibri's, the processors' and/or other controllers' 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. More information [here](#). [The Standard Contractual Clauses are available here.](#)

9 PERIOD FOR WHICH PERSONAL DATA WILL BE STORED

- 9.1 The Personal Data will be processed by Solibri as long as necessary to fulfil the purposes defined in Section 4 above, in accordance with the legislation in force from time to time. For instance, the Personal Data of the representatives of past contracting parties will be processed until the user account is removed or cooperation has otherwise ceased and thereafter until the debt relationship and liabilities directly relating to the Personal Data have expired and claims can no longer be made against Solibri. Pursuant to Finnish legislation, the main rule for expiry of debt is three (3) years.
- 9.2 The Personal Data processed for longer than the above-mentioned time periods, 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 in 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. 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 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 obtain from Solibri confirmation as to whether or not Personal Data concerning him or her is being processed by Solibri.
- 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 legally required information.
- 11.3 For any further copies requested by the person, Solibri may charge a reasonable fee taking into account the 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 shall 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, on the person's request, without undue delay correct, erase or supplement the Personal Data 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.
- 13.3 The person has the right to lodge a complaint to the supervisory authority as allowed under the European Union's General Data Protection Regulation. The contact details of the Finnish supervisory authority are:

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 the Personal Data: (i) when the processing has been deemed to be necessary for the purposes of the legitimate interests of Solibri or (ii) when the processing has been deemed to be 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 the person's interests or fundamental rights and freedoms.

15 RIGHT TO RESTRICTION OF PROCESSING

15.1 '**Restriction of processing**' means the marking of the stored Personal Data with the aim of limiting its use in the future.

15.2 If the person requests, Solibri must restrict the 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 the 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; or
- (d) to store the Personal Data.

16 RIGHT TO BE FORGOTTEN

16.1 The person has the right to have his/her Personal Data erased on 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 the 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.

16.2 However, Solibri does not have to erase the Personal Data based on above grounds to the extent Solibri still needs to process the Personal 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 decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
- 17.2 Solibri is not using such automated decision-making.