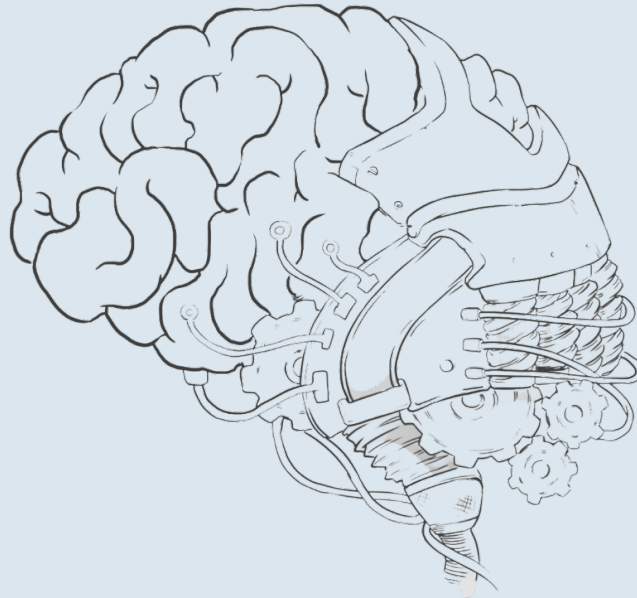




ATHENAIS

ARTIFICIAL INTELLIGENCE SYSTEMS



LEGAL NOTICES

Privacy Policy



ATHENAIS

ARTIFICIAL INTELLIGENCE SYSTEMS

PRIVACY

Athenais respects your preferences concerning the collection and use of your Personal Information. The following privacy policies are tailored for the different ways your Personal Information may be collected, used, shared and processed by different Athenais lines of business:

The Athenais General Privacy Policy addresses information we collect in connection with your use of our websites and mobile applications, your interactions with Athenais and in the context of our offline sales and marketing activities.

The Services Privacy Policy describes our privacy and security practices that apply when handling (i) services personal information in order to perform Consulting, Technical Support, Cloud and other services on behalf of Athenais customers; and (ii) personal information contained in systems operation data generated by the interaction of (end-)users of these services with Athenais systems and networks.

The Athenais Recruiting Privacy Policy addresses information we may collect in connection with Athenais' online and offline recruiting efforts.

The Athenais Data Cloud Privacy Policy addresses how Athenais facilitates the collection and use of marketing and interest-based information to help enable interest-based advertising by Athenais' Marketing and Data Cloud customers.

The Add This Privacy Policy informs consumers about the collection, use and sharing of personal information in connection with Athenais' provision of the AddThis Tools and Toolbar.

If you would like to exercise your preferences or learn more about how you can control Athenais' collection and use of your personal information, please refer to the 'What are your Choices?' section in each of these policies or to the Privacy Choices tab.



GENERAL PRIVACY POLICY

1. INTRODUCTION

This General Athenais Privacy Policy (also referred to as the ‘Privacy Policy’) provides information on the collection, use, sharing and processing of personal information by Athenais Corporation and its affiliates (“Athenais”, “we” or “us”) in connection with your use of Athenais websites, mobile applications, and social media pages that link to this Privacy Policy, your interactions with Athenais during in-person meetings or at Athenais events, and in the context of other offline sales and marketing activities. This Privacy Policy also explains the choices you have in relation to these processing activities.

This Privacy Policy was last updated on January 06, 2020. However, the Privacy Policy can change over time, for example to comply with legal requirements or to meet changing business needs. The most up-to-date version can be found on this website. In case there is an important change that we want to highlight to you, we will also inform you in another appropriate way (for example via a pop-up notice or statement of changes on our website).

As used in this Privacy Policy, ‘personal information’ or ‘personal data’ means information that relates to an identified individual or to an identifiable individual. For example, this could include among other things your name, address, email address, business contact details, or information gathered through your interactions with us via our websites or at events. Personal information is also referred to as ‘information about you.’

2. SCOPE

This Privacy Policy applies to the processing of personal information by Athenais of:

- visitors and users of the various Athenais sites, including our websites on Athenais.tech, computer or mobile software applications and our social media pages that link to this Privacy Policy (collectively referred to as the sites);
- attendees of Athenais events, such as Athenais OpenWorld;
- customers and prospective customers and their representatives;
- suppliers and business partners and their representatives.

When interacting with our websites, you also have the ability to link or connect with non-Athenais websites, services, social networks, applications or other features. Enabling these features will lead to other parties than Athenais processing information about you. Athenais does not have any control over these features of other parties. We encourage you to review the privacy policies of these parties before using these features.

3. WHO IS RESPONSIBLE FOR YOUR PERSONAL INFORMATION?

Athenais Corporation and its affiliated entities are responsible for processing your personal information described in this Privacy Policy.



GENERAL PRIVACY POLICY

4. WHICH TYPES OF PERSONAL INFORMATION DO WE PROCESS AND FROM WHICH SOURCES?

Athenais can process information about you collected both offline and online.

Offline information about you originates from our interactions with you during in-person meetings or at Athenais events, conferences, workshops or gatherings;

Online information about you originates from your activities on our sites, for example, in relation with your Athenais accounts, (pre-)sales inquiries, or from your interactions with Athenais via electronic communication tools such as email or telephone. Information about you may also be provided by third party sources, such as data aggregators who may not have a relationship with you.

Online information about you may also originate from the use of cookies and similar technologies (for example, pixel tags and device identifiers) on our sites or sites of third parties.

Information about you that Athenais may be collect and process includes:

name and physical address, email addresses, and telephone numbers;

demographic attributes, when tied to personal information that identifies you;

photographs and testimonials;

transactional data, including products and services ordered, financial details and payment methods;

company data such as the name, size and location of the company you work for and your role within the company;

data from surveys and publicly available information, such as social media posts;

unique IDs such as your mobile device identifier or cookie ID on your browser;

IP address and information that may be derived from IP address, such as geographic location;

information about a device you use, such as browser, device type, operating system, the presence or use of "apps", screen resolution, and the preferred language;

behavioral data of the internet connected computer or device you use when interacting with the sites, such as advertisements clicked or viewed, sites and content areas, date and time of activities or the web search used to locate and navigate to a site;

CEO name linked to the CEO's company information and activities (for certain Athenais services relating to public company information and activity).

Please note that Athenais does not control the content that you may post to Athenais Communities forums or social networks; in some cases, such content may be publicly available on the Internet. You should carefully consider whether you wish to submit personal information to these forums or social networks and whether you wish to make your profile available to other users, and you should tailor any content you may submit accordingly.



GENERAL PRIVACY POLICY

5. WHY AND HOW DO WE USE YOUR PERSONAL INFORMATION?

We may use personal information for the following purposes:

- to communicate and respond to your requests and inquiries to Athenais;
- to deliver functionality on our sites and for their technical and functional management;
- to market our products and services or related products and services, and to tailor our marketing and sales activities to your or your company's interests;
- to engage in transactions with customers, suppliers and business partners and to process orders for Athenais products and services;
- to analyze, develop, improve and optimize the use, function and performance of our sites and products and services;
- to manage the security of our sites, networks and systems;
- to comply with applicable laws and regulations and to operate our business;

We may also use the names of company CEOs to provide select services to Athenais customers which may include publicly-available information regarding names of company CEOs.

These purposes are described below in further detail.

To communicate and respond to your requests and inquiries to Athenais

If you get in touch with us (such as by submitting contact forms on our sites, attending Athenais events or other occasions, sending an email or by visiting social media platforms), we process information about you to communicate with you and to respond to your requests or other inquiries. We can also process personal information to interact with you on third party social networks.

To deliver functionality on our sites and for their technical and functional management

When you choose to register with us (such as to make use of our communities), we need to process the personal information provided by you so that we can create and manage a personal account for you. Upon creating your account, we will send you your personal login information. This personal information enables us to administer your account, for example by changing your password for you.

To market our products and services or related products and services and to tailor marketing and sales activities



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Athenais may use information about you to notify you about new product releases and service developments, events, alerts, updates, prices, terms, special offers and associated campaigns and promotions (including via newsletters). Athenais may also use personal information to advertise Athenais' products and services or related products and services, and also to have our distributors, resellers or partners notify you about our products or services or their related products or services (such as via joint sales or product promotions). We do our best to tailor your website visit, marketing experience and our communications to your expressed interests. This happens, for example, if you sign up for an Athenais community or program like the Athenais Partner Network or Athenais Technology Network.

If you attend an event, Athenais may process information about you gathered in relation to the event and can share information about your attendance with your company. Athenais may also permit designated event partners or conference sponsors to send you up to two communications related to your event attendance. Please note that our partners or conference sponsors may directly request information about you at their conference booths or presentations, and their use of your information that you provide to them will be subject to their privacy policies.

We may also process your personal information to post testimonials on our sites, but will first obtain your consent to use your name and testimonial.

To engage in transactions with customers, suppliers and business partners and to process purchases of our products and services

If you place an order for our products and services, or if you provide services to Athenais, our employees, customers or partners as a supplier or business partner, Athenais processes information about you to engage in and administer the relevant transactions (such as by sending invoices and making payments), administer your order, and help you get started and adopt our products and services (e.g., by contacting you to activate your Cloud services credits). If you download products or services from our sites, Athenais uses information about you to confirm certain information about your order (for example, that you did not experience problems in the download process).



GENERAL PRIVACY POLICY

To analyze, develop, improve and optimize the use, function and performance of our sites and products and services

We may process personal information in order to analyze, develop, improve and optimize the use, function and performance of our sites and products and services, as well as marketing and sales campaigns. In case the sites permit you to participate in interactive discussions, create a profile, post comments, opportunities or other content, or communicate directly with another user or otherwise engage in networking activities, Athenais may process personal information when moderating these activities.

To manage the security of our sites, networks and systems

We may collect site use data for security and operations management to help keep our sites, networks and systems secure, or to investigate and prevent potential fraud, including ad fraud and cyber-attacks and to detect bots.

To comply with applicable laws and regulations and to operate our business

In some cases, we have to process personal information to comply with applicable laws and regulations. For example, to respond to a request from a regulator or to defend a legal claim. We may also process personal information in the performance and operation of our business, such as to conduct internal audits and investigations or for finance and accounting and archiving and insurance purposes.

To provide select services to Athenais customers which may include publicly-available information regarding names of company CEOs

For some services, we may collect the publicly-available names of CEOs of companies to better understand the status of these companies and help inform our services which relate to providing customers information about other companies.



GENERAL PRIVACY POLICY

6. WHAT IS OUR BASIS FOR PROCESSING INFORMATION ABOUT YOU?

For personal information collected about you in the EU, our basis for processing is the following:

In order to communicate adequately with you and to respond to your requests, we need to process information about you and therefore have a legitimate interest in processing this information.

In order to engage in transactions with customers, suppliers and business partners, and to process purchases and downloads of our products and services, we need to process information about you as necessary to enter into or perform a contract with you.

We process personal information for marketing and sales activities based on your consent where so indicated on our sites at the time your personal information was collected, or further to our legitimate interest to market and promote our products and services.

We rely on our legitimate interest to analyze, develop, improve and optimize our sites, products and services, and to maintain the security of our sites, networks and systems.

In order to comply with applicable laws and regulations.

7. FOR WHAT PERIOD DO WE RETAIN PERSONAL INFORMATION

Athenais maintains personal information for the following retention periods:

Information about you we collect to engage in transactions with our customers, suppliers and business partners, and to process purchases of our products and services, will be retained for the duration of the transaction or services period, or longer as necessary for record retention and legal compliance purposes.

If you have registered for an Athenais account, your account information will be retained for as long as you maintain an active account. Your account and account information will be deleted if you do not log in for 24 consecutive months. Athenais retains records of that deletion for 90 days.

If you have registered for our newsletters and blogs, your subscription data will be retained for as long as you are subscribed to our distribution lists. Athenais retains records of that deletion for 30 days.

Contact information such as your email address or phone number collected online on our sites or offline from our interactions with you at Athenais events and conferences, and used for direct marketing and sales activities will be retained for as long as we have an active (customer) relationship with you. We treat you as an active contact if (i) you have interacted with Athenais or updated your contact details and preferences in the past 24 months; and (ii) you have not made a deletion request.

If you have reached out to us via Athenais Sales chat, we will delete all chat transcripts 90 days after the chat has concluded.

Personal information needed to retain your opt-out preferences is retained for 20 years (or longer as necessary to comply with applicable law).



GENERAL PRIVACY POLICY

8. WHEN AND HOW CAN WE SHARE YOUR PERSONAL INFORMATION?

Sharing within Athenais

As a global organization, information about you may be shared globally throughout Athenais' worldwide organization.

Athenais employees are authorized to access personal information only to the extent necessary to serve the applicable purpose(s) and to perform their job functions.

Sharing with third parties

We may share personal information with the following third parties:

Third-party service providers (for example, credit card processing services, order fulfilment, analytics, event/campaign management, website management, information technology and related infrastructure provision, customer service, e-mail delivery, auditing, and other similar service providers) in order for those service providers to perform business functions on behalf of Athenais;

Athenais distributors or resellers for further follow-up related to your interests, specific partners that offer complementary products and services or with third parties to facilitate interest-based advertising;

Relevant third parties in the event of a reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings);

As required by law, such as to comply with a subpoena or other legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to government requests, including public and government authorities outside your country of residence, for national security and/or law enforcement purposes.

When third parties are given access to personal information, we will take appropriate contractual, technical and organizational measures designed to ensure that personal information is processed only to the extent that such processing is necessary, consistent with this Privacy Policy, and in accordance with applicable law.



GENERAL PRIVACY POLICY

9. HOW IS PERSONAL INFORMATION HANDLED GLOBALLY?

Athenais is a global corporation and personal information is processed globally. If personal information is transferred to an Athenais recipient in a country that does not provide an adequate level of protection for personal information, Athenais will take measures designed to adequately protect information about you, such as ensuring that such transfers are subject to the terms of the EU Model Clauses.

Athenais also complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention when a customer and Athenais agrees that transfers of personal information from the European Economic Area and the United Kingdom ("EEA") and/or Switzerland will be transferred and processed pursuant to the Privacy Shield for the relevant services. When conducting those activities on behalf of its EEA or Swiss customers, Athenais holds and/or processes personal information provided by the EEA or Swiss customer at the direction of the customer. Athenais will then be responsible for ensuring that third parties acting as an agent on our behalf do the same. Athenais has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov>.

With respect to personal information received or transferred pursuant to the Privacy Shield Framework, Athenais is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission and commits to cooperate with EU data protection authorities.

10. HOW IS YOUR PERSONAL INFORMATION SECURED?

Athenais has implemented appropriate technical, physical and organizational measures designed to protect personal information against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorized disclosure or access, as well as all other forms of unlawful processing.



GENERAL PRIVACY POLICY

11. WHAT COOKIES AND SIMILAR TECHNOLOGIES DO WE USE ON OUR SITES?

Cookies and similar technologies (e.g., pixels tags and device identifiers) are used by Athenais and our advertising technology partners to recognize you and/or your device(s) on, off and across different services and devices for the purposes specified in Section 5 above.

When do we use cookies and similar technologies?

Cookies are small text files that contain a string of characters and uniquely identify a browser on a device connected to the Internet. Any browser visiting our sites will receive cookies from us. We also place cookies in your browser when you visit non-Athenais sites that host our plugins or tags. We use cookies and other technologies on all our sites to ensure the best possible and secure experience on our sites and to provide you with tailored information on products and services. Athenais also uses cookies or similar technologies on its sites to collect online information such as your mobile device ID, IP address, and other information about your device, as well as behavioral data of your device usage on our sites (e.g. pages viewed, links clicked, documents downloaded). This information contributes to Athenais' Marketing & Data Cloud services designed to provide targeted digital advertising and personalization services to Athenais Marketing & Data Cloud customers. Our data collection, use and sharing practices in relation to these processing activities, including your specific choices, are described in the Athenais Marketing and Data Cloud Privacy Policy.

Which types of cookie are used by Athenais?

See more information on the types of cookies used by Athenais.

How can I manage my cookie preferences?

If you are a visitor or our sites, you can use our cookie preferences tool to opt out of cookies that are not required to enable core site functionality, such as advertising and functional cookies.

You can also access the Athenais Data Cloud opt-out tool to opt out of interest based advertising by Athenais and other participating advertising technology companies serving interest-related ads to you on behalf of Athenais. Please note that the Athenais Data Cloud opt-out tool will only work on the Internet browser on which they are deposited, and they will only function only if your browser is set to accept third-party cookies.

If you do not want to receive cookies, you can also change your browser settings on your computer or other device you are using to access our services. Most browsers also provide functionality that lets you review and erase cookies, including Athenais cookies.



GENERAL PRIVACY POLICY

12. WHAT ARE YOUR CHOICES?

We provide multiple choices in respect of the information we process about you:

Opt-out of our use of your personal information

You may withdraw consent you have previously provided for the processing of information about you, including for email marketing by Athenais.

Delete personal information

You can ask us to erase or delete all or some of the information about you.

Change or correct personal information

You can edit some of the information about you by. You can also ask us to change, update or fix information about you in certain cases, particularly if it is inaccurate.

Object to, or limit or restrict use of personal information

You can ask us to stop using all or some of the information about you (for example, if we have no legal right to keep using it) or to limit our use of it (for example, if the information about you is inaccurate).

Right to access and/or have your information provided to you

You can also ask us for a copy of information about you and can ask for a copy of information about you provided in machine readable form if you reside in the EU or other country that provides you this right as a matter of law.

You can exercise these choices in accordance with applicable laws as specified on our Privacy Choices page, or by filling out our inquiry form.

13. DO YOU COLLECT SENSITIVE INFORMATION AND INFORMATION FROM CHILDREN?

Sensitive personal information

We ask that you do not send us, and do not share any sensitive personal information (for example, government-issued IDs, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, genetic, or biometric data, criminal background or trade union membership).



GENERAL PRIVACY POLICY

Children's privacy

As a company focused on serving the needs of businesses, Athenais' sites are not directed to minors and Athenais does not promote or market its services to minors, except in very limited circumstances as part of specific educational outreach programs with parental permission. If you believe that we have mistakenly or unintentionally collected personal information of a minor through our sites without appropriate consent, please notify us through our inquiry form so that we may immediately delete the information from our servers and make any other necessary corrections. Additionally, please use this same form to request removal of content or information that was posted to our sites when the registered user was under the age of 18. Please note that such requests may not ensure complete or comprehensive removal of the content or information, as, for example, some of the content may have been reposted by another user.

14. DATA PROTECTION OFFICER

Athenais has appointed a Global Data Protection Officer. If you believe your personal information has been used in a way that is not consistent with the Privacy Policy or your choices, or if you have further questions, comments or suggestions related to this Privacy Policy, please contact the Global Data Protection Officer by email.

Written inquiries to the Global Data Protection and for personal information collected INSIDE the EU/EEA Officer may be addressed to:

Athenais SA

Chaussée Romaine 2

2013 Colombier

Switzerland

Email: Olivier.delavigne@athenais.tech

15. DISPUTE RESOLUTION OR FILING A COMPLAINT

If you have any complaints regarding our compliance with this Privacy Policy, please contact us first. We will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with this Privacy Policy and in accordance with applicable law.

If you have an unresolved privacy or data use concern that you believe we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>. Under certain conditions, specified on the Privacy Shield website, you may invoke binding arbitration when other dispute resolution procedures have been exhausted. You also have the right to file a complaint with a competent data protection authority if you are a resident of a European Union member state.



SERVICES PRIVACY POLICY

This Athenais Services Privacy Policy (“Services Privacy Policy”) is organized into three sections:

I. The first section (Services Personal Information Data Processing Terms) describes the privacy and security practices that Athenais Corporation and its affiliates (“Athenais”) employ when handling Services Personal Information (as defined below) for the provision of Technical Support, Consulting, Cloud or other services (the “Services”) provided to Athenais customers (“You” or “Your”) during the term of Your order for Services.

Services Personal Information is personal information that is provided by You, resides on Athenais, customer or third-party systems and environments, and is processed by Athenais on Your behalf in order to perform the Services. Services Personal Information may include, depending on the Services: information concerning family, lifestyle and social circumstances; employment details; financial details; online identifiers such as mobile device IDs and IP addresses, and first party online behavior and interest data. Services Personal Information may relate to Your representatives and end users, such as Your employees, job applicants, contractors, collaborators, partners, suppliers, customers and clients.

II. The second section (System Operations Data Processing Terms) describes the privacy and security practices that apply to personal information that may be incidentally contained in Systems Operation Data that is generated by the interaction of (end-)users of our Services (“Users”) with the Athenais systems and networks used to monitor, safeguard and deliver Services to our customer base.

Systems Operations Data may include log files, event files, and other trace and diagnostic files, as well as statistical and aggregated information that relates to the use and operation of our Services, and the systems and networks these Services run on.

III. The third section (Communications and Notifications to Customers and Users) applies to both Services Personal Information and personal information contained in Systems Operations Data, describes how Athenais handles legally required disclosure requests, and informs You and Users how to communicate with Athenais’ Global Data Protection Officer or file a complaint.

The definitions of Services Personal Information and Systems Operations Data do not include Your or User contact and related information collected from the use of Athenais websites, or Your or User interactions with us during the contracting process. Athenais’ handling of this information is subject to the terms of the General Athenais Privacy Policy.



SERVICES PRIVACY POLICY

I. SERVICES PERSONAL INFORMATION DATA PROCESSING TERMS

Athenais treats all Services Personal Information in accordance with the terms of Sections I and III of this Policy and Your order for Services.

In the event of any conflict between the terms of this Services Privacy Policy and any privacy terms incorporated into Your order for Services, including an Athenais Data Processing Agreement, the relevant privacy terms of Your order for Services shall take precedence.

1. Performance of the Services

Athenais may process Services Personal Information for the processing activities necessary to perform the Services, including for testing and applying new product or system versions, patches, updates and upgrades, and resolving bugs and other issues You have reported to Athenais.

2. Customer instructions

You are the controller of the Services Personal Information processed by Athenais to perform the Services. Athenais will process your Services Personal Information as specified in Your Services order and Your documented additional written instructions to the extent necessary for Athenais to (i) comply with its processor obligations under applicable data protection law or (ii) assist You to comply with Your controller obligations under applicable data protection law relevant to Your use of the Services. Athenais will promptly inform You if, in our reasonable opinion, Your instruction infringes applicable data protection law. Additional fees may apply.

3. Rights of individuals

You control access to Your Services Personal Information by Your end users, and Your end users should direct any requests related to their Services Personal Information to You. To the extent such access is not available to You, Athenais will provide reasonable assistance with requests from individuals to access, delete or erase, restrict, rectify, receive and transmit, block access to or object to processing of Services Personal Information on Athenais systems.

4. Security and confidentiality

Athenais has implemented and will maintain technical and organizational measures designed to prevent accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to Services Personal Information. These measures govern all areas of security applicable to the Services, including physical access, system access, data access, transmission, input, security oversight, and enforcement. Athenais employees are required to maintain the confidentiality of personal information. Employees' obligations include written confidentiality agreements, regular training on information protection, and compliance with company policies concerning protection of confidential information.



SERVICES PRIVACY POLICY

5. Incident Management and data breach notification.

Athenais promptly evaluates and responds to incidents that create suspicion of or indicate unauthorized access to or handling of Services Personal Information.

If Athenais becomes aware and determines that an incident involving Services Personal Information qualifies as a breach of security leading to the misappropriation or accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Services Personal Information transmitted, stored or otherwise processed on Athenais systems that compromises the security, confidentiality or integrity of such Services Personal Information, Athenais will report such breach to You without undue delay.

As information regarding the breach is collected or otherwise reasonably becomes available to Athenais and to the extent permitted by law, Athenais will provide You with additional relevant information concerning the breach reasonably known or available to Athenais.

6. Subprocessors

To the extent Athenais engages third party subprocessors to have access to Services Personal Information in order to assist in the provision of Services, such subprocessors shall be subject to the same level of data protection and security as Athenais under the terms of Your order for Services. Athenais is responsible for its subprocessors' compliance with the terms of Your order for Services.

Athenais maintains lists of Athenais Affiliates and subprocessors that may process Services Personal Information.

7. Cross-border data transfers

Athenais may transfer, access and store Services Personal Data globally as necessary to perform the Services.

To the extent such global access involves a transfer of Services Personal Information originating from the European Economic Area and the United Kingdom ("EEA") and/or Switzerland to Athenais affiliates or third party subprocessors located in countries outside the EEA or Switzerland that have not received a binding adequacy decision by the European Commission or by a competent national EEA data protection authority, such transfers are subject to binding and appropriate transfer mechanisms that provide an adequate level of protection in compliance with applicable data protection law, such as EU Model Clauses.



SERVICES PRIVACY POLICY

Athenais also complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Services Personal Information when You and Athenais have agreed by contract that transfers of such information from the EEA or Switzerland will be transferred and processed pursuant to the Privacy Shield for the relevant Services. Athenais will then be responsible for ensuring that third parties acting as an agent on our behalf do the same.

8. Deletion or return of Services Personal Information

Except as otherwise specified in an order for services or required by law, upon termination of services or at your request, Athenais will delete your production customer data located on Athenais computers in a manner designed to ensure that they cannot reasonably be accessed or read, unless there is a legal obligation imposed on Athenais preventing it from deleting all or part of the data. You may consult with your Athenais services contact for additional information on data deletion prior to service completion.

II. SYSTEMS OPERATIONS DATA PROCESSING TERMS

1. Responsibility and purposes for processing personal information

Athenais Corporation and its affiliated entities are responsible for processing personal information that may be incidentally contained in Systems Operations Data in accordance with Sections II and III of this Policy.

We may collect or generate Systems Operations Data for the following purposes:

- a) to help keep our Services secure, including for security monitoring and identity management;
- b) to investigate and prevent potential fraud or illegal activities involving our systems and networks, including to prevent cyber-attacks and to detect bots;
- c) to administer our back-up disaster recovery plans and policies;
- d) to confirm compliance with licensing and other terms of use (license compliance monitoring);
- e) for research and development purposes, including to analyze, develop, improve and optimize our Services;



SERVICES PRIVACY POLICY

f) to comply with applicable laws and regulations and to operate our business, including to comply with legally mandated reporting, disclosure or other legal process requests, for mergers and acquisitions, finance and accounting, archiving and insurance purposes, legal and business consulting and in the context of dispute resolution.

For personal information contained in Systems Operations Data collected in the EU, our legal basis for processing such information is our legitimate interest in performing, maintaining and securing our products and services and operating our business in an efficient and appropriate manner. Personal information may also be processed based on our legal obligations or legitimate interest to comply with such legal obligations.

2. Sharing personal information

Personal information contained in Systems Operations Data may be shared throughout Athenais' organization.

We may also share such personal information with the following third parties:

third-party service providers (for example IT service providers, lawyers and auditors) in order for those service providers to perform business functions on behalf of Athenais;
relevant third parties in the event of a reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings);
as required by law, such as to comply with a subpoena or other legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to government requests, including public and government authorities outside your country of residence, for national security and/or law enforcement purposes.

When third parties are given access to personal information contained in Systems Operations Data, we will take the appropriate contractual, technical and organisational measures to ensure, for example, that personal information is only processed to the extent that such processing is necessary, consistent with this Privacy Policy and in accordance with applicable law.



SERVICES PRIVACY POLICY

3. Cross-border data transfers

If personal information contained in Systems Operations Data is transferred to an Athenais recipient in a country that does not provide an adequate level of protection for personal information, Athenais will take measures designed to adequately protect information about Users, such as ensuring that such transfers are subject to the terms of the EU Model Clauses.

4. Security

Athenais has implemented appropriate technical, physical and organisational measures in accordance with the Athenais Corporate Security Practices designed to protect personal information against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorised disclosure or access as well as all other forms of unlawful processing (including, but not limited to, unnecessary collection) or further processing.

5. User choices

To the extent provided under applicable laws, Users may request to access, correct, update or delete personal information contained in Systems Operations Data in certain cases, or otherwise exercise their choices with regard to their personal information by filling out an inquiry form.

III. COMMUNICATIONS AND NOTIFICATIONS TO CUSTOMERS AND USERS

1. Legal requirements.

Athenais may be required to provide access to Services Personal Information and to personal information contained in Systems Operations Data as required by law, such as to comply with a subpoena or other legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect Your or a User's safety or the safety of others, investigate fraud, or respond to government requests, including public and government authorities outside Your or a User's country of residence, for national security and/or law enforcement purposes.



SERVICES PRIVACY POLICY

Athenais will promptly inform You of requests to provide access to Services Personal Information, unless otherwise required by law.

2. Global Data Protection Officer

Athenais has appointed a Data Protection Officer. If You or a User believe that personal information has been used in a way that is not consistent with this Privacy Policy, or if You or a User have further questions, comments or suggestions related to Athenais' handling of Services Personal Information or personal information contained in Systems Operations Data, please contact the Data Protection Officer by filling out an inquiry form.

Written inquiries to the Global Data Protection and for personal information collected INSIDE the EU/EEA Officer may be addressed to:

Athenais SA
Chaussée romaine 2
2013 Colombier
Switzerland
Email: Olivier.delavigne@athenais.tech

3. Dispute resolution or filing a complaint

If You or a User have any complaints regarding our compliance with our privacy and security practices, please contact us first. We will investigate and attempt to resolve any complaints and disputes regarding our privacy practices.

Under certain conditions, specified on the Privacy Shield website, Users may invoke binding arbitration when other dispute resolution procedures have been exhausted. Users also have the right to file a complaint with a competent data protection authority if they are a resident of a European Union member state.

4. Changes to this Services Privacy Policy

This Privacy Policy was last updated on January 22nd, 2021. However, the Services Privacy Policy can change over time, for example to comply with legal requirements or to meet changing business needs. The most up-to-date version can be found on this website. In cases of material changes, we will also inform you in another appropriate way (for example via a pop-up notice or statement of changes on our website) prior to the changes becoming effective.