

# FSEnet Privacy Policy

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Effective on: 5/23/2018

## Introduction and Scope

FSE, Inc. together with its affiliated entities (“FSEnet”, “we”, “us”, “our”) takes the protection of personally identifiable information (“Personal Data”) very seriously. This Privacy Policy (the “Policy”) addresses data subjects whose Personal Data we process in our FSEnet+ Blue Portal (the “Portal”).

## Controllership

In the context of this Policy, FSEnet acts as a data controller for the Personal Data we process.

## Categories of Personal Data

We may process the following types of Personal Data:

- biographical information such as your first, last name, and the language you speak;
- contact information such as your email address, address, and phone number; and
- professional information, such as your role/job title.

## How We Receive Personal Data

We may receive your Personal Data when:

- you provide them to us in our Portal;
- they are submitted into our Portal by our customers (trading partners on both the supply and demand side); or
- we input them based on our research about relevant contacts, for the benefit of our trading partners.

If we receive your Personal Data from a third party, we will notify you, where required by applicable laws, without undue delay.

## Basis of Processing

Within the scope of this Policy, we may rely on one or more of the following legal grounds for processing your Personal Data:

- the need to perform our obligations under a contract or to perform related pre-contractual duties;
- the need to pursue our legitimate interests or those of our customers, such as facilitating the exchange of contact data between two trading partners; and
- any other ground, as required or permitted by law in the specific respective context.

## Purposes of Processing

We process Personal Data for the purposes of:

- exchanging contact data and other types of data between trading partners;
- enabling your use of our Portal;
- responding to inquiries and/or requests or questions; and
- sending you e-mail marketing communication.

## Data Retention Periods

Given the nature of the services we provide, Personal Data processed in the Portal is retained indefinitely. However, we will respect your request(s) that we delete your Personal Data, where you are entitled to this right. This right is subject to the limitations described in this Policy.

## Sharing Personal Data with Third Parties

We may share your Personal Data with other entities. Such third parties may include those providing:

- hosting services;
- server management services;
- consultancy regarding database performance;
- e-mail services;
- cloud storage services;
- office suite services;
- business management services, such as project and issue tracking;
- IT service desk services;
- document collaboration services;
- marketing automation services;
- services, related to creating contact forms, online surveys, and invitations;
- cloud-based ERP services;
- application performance metrics and analytics services;
- incident management services; and
- marketing and sales services.

We will require that all these third-party vendors, as listed above, maintain at least the same level of data protection that we maintain for such Personal Data.

Please note that your data will also be shared with other trading partners in the Portal. For example, if two companies have an established business relationship, and have established a data sharing relationship via our Portal, and your data are related to one of these trading partners, the other respective party will have access to your data.

FSEnet remains liable for the protection of Personal Data that we transfer to our service providers within the scope of our Privacy Shield certification, except to the extent that

we are not responsible for the event giving rise to any unauthorized or improper processing.

### **Other Disclosure of Your Personal Data**

We may disclose your Personal Data:

- to the extent required by law or if we have a good-faith belief that such disclosure is necessary in order to comply with official investigations or legal proceedings initiated by governmental and/or law enforcement officials, or private parties, including but not limited to: in response to subpoenas, search warrants, or court orders;
- if we sell or transfer all or a portion of our company's business interests, assets, or both, or in connection with a corporate merger, consolidation, restructuring, or other company change; or
- to our subsidiaries or affiliates only if necessary for business and operational purposes.

We reserve the right to use, transfer, sell, and share aggregated, anonymous data, which does not include any Personal Data, about our Portal users as a group for any legal business purpose, such as analyzing usage trends and seeking compatible advertisers, sponsors, clients, and customers.

If we must disclose your Personal Data in order to comply with official investigations or legal proceedings initiated by governmental and/or law enforcement officials, we may not be able to ensure that such recipients of your Personal Data will maintain the privacy or security of your Personal Data.

### **Data Integrity & Security**

FSEnet has implemented and will maintain technical, organizational, and physical security measures that are reasonably designed to help protect Personal Data from unauthorized processing, such as unauthorized access, disclosure, alteration, or destruction.

### **Cookies**

A "cookie" is a small file stored on your device which potentially contains (or may be linked to) information about you, your device, and your use of our Portal. We may use cookies to enable your use of the Portal. The use of cookies is industry standard, so your browser may be set to accept cookies. If you would prefer not to accept cookies, you can alter the configuration of your browser to reject all cookies or some cookies. Note, if you reject certain cookies, you may not be able to access all of the features of our Portal. For more information please visit <https://www.aboutcookies.org/>.

### **Access & Review**

If you are a data subject about whom we store Personal Data, you may have the right to request access to, and the opportunity to update, correct, or delete such Personal Data.

To submit such requests, please contact us using the information in the Contact Us section of this Policy.

### **Restriction & Objection to Processing, Portability**

If you are a data subject whose Personal Data we process, you may have the right to ask that we limit our processing of your Personal Data, as well as the right to object to our processing of your Personal Data. To exercise such rights, where applicable, please contact us using the information in the Contact Us section of this Policy.

### **Supervisory Authority Oversight**

If you are a data subject whose Personal Data we process, you may also have the right to lodge a complaint with a data protection regulator in one or more of the European Union member states.

### **Changes to this Policy**

If we make any material change to this Policy, we will post the revised Policy to this web page and update the "Effective" date above to reflect the date on which the new Policy became effective.

### **EU-U.S. and Swiss-U.S. Privacy Shield Frameworks**

With respect to Personal Data in the scope of this Policy, FSE, Inc. complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework (the "Privacy Shield"), as adopted and set forth by the U.S. Department of Commerce regarding the processing of Personal Data. FSE, Inc. commits to adhere to and has certified to the Department of Commerce that it adheres to the Privacy Shield Principles.

To learn more about the Privacy Shield, and to view FSE, Inc.'s certification, please visit <https://www.privacyshield.gov> and <https://www.privacyshield.gov/list>, respectively.

### **VeraSafe Privacy Program**

FSEnet is a member of the [VeraSafe Privacy Program](#), meaning that with respect to Personal Data processed in the scope of this Policy, VeraSafe has assessed FSEnet's data governance and data security for compliance with the VeraSafe Privacy Program Certification Criteria. The certification criteria require that participants maintain a high standard for data privacy and implement specific best practices pertaining to notice, onward transfer, choice, access, data security, data quality, recourse, and enforcement.

### **Dispute Resolution**

Where a privacy complaint or dispute cannot be resolved through FSEnet's internal processes, FSEnet has agreed to participate in the [VeraSafe Privacy Shield Dispute Resolution Procedure](#). Subject to the terms of the VeraSafe Privacy Shield Dispute Resolution Procedure, VeraSafe will provide appropriate recourse free of charge to you. To file a complaint with VeraSafe and participate in the VeraSafe Privacy Shield Dispute Resolution Procedure, please submit the required information here:

<https://www.verasafe.com/privacy-services/dispute-resolution/submit-dispute/>

### **Binding Arbitration**

If your dispute or complaint can't be resolved by us, nor through the dispute resolution program established by VeraSafe, you may have the right to require that we enter into binding arbitration with you pursuant to the Privacy Shield's Recourse, Enforcement and Liability Principle and Annex I of the Privacy Shield.

### **Regulatory Oversight**

FSEnet is subject to the investigatory and enforcement powers of the United States Federal Trade Commission.

### **Contact Us**

If you have any questions about this Policy or our processing of your Personal Data, please contact us, using the following contact information:

FSE, Inc.  
77 Rumford Avenue  
Suite 3  
Waltham, MA 02453 USA  
+1 844 437-3638  
<http://www.fsenet.com/contact-us>

Please allow up to ten working days for us to reply.

[VeraSafe](#) is FSEnet's Data Protection Officer, and representative in the European Union (Article 27 representative) for our group companies that are not established in the European Union. To contact VeraSafe please use this contact form:

<https://www.verasafe.com/privacy-services/contact-article-27-representative>

Alternatively, VeraSafe can be contacted at:

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