

Data Privacy Statement of the Cortado Mobile Solutions GmbH

This Data Privacy Statement applies to all products, services and websites distributed by Cortado Mobile Solutions GmbH, Alt-Moabit 91a, 10559 Berlin, Germany (hereinafter referred to as “CMS”). CMS strongly emphasizes the protection of your personal data. CMS adheres to any and all applicable data protection provisions, including but not limited to the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG)

Data collected by the CMS website or a CMS cloud service and use thereof

User data

The CMS websites (for example cortado.com, mycortado.com and teampplace.net) contain a number of forms in which you must provide personal information if you wish to use the relevant services. This applies in particular to registration, contact, offer, download and support forms as well as newsletter subscriptions. The data to be provided may include: first and last name, company name and address, position, phone number and e-mail address, optional country and preferred language. In addition, CMS stores the password you have chosen for registration. With the Teampplace service, you only have to provide an e-mail-address, the password for the user account and a freely selectable user name which is solely displayed to all Teampplace members of such team projects you joined. When using the online shop, the following information is required: first and last name, postal address, country, e-mail address, payment method and, if applicable, the e-mail address of your Cortado MDM administrator. In addition, you can optionally specify: VAT number, company name, telephone number, Gmail address, name of your tenant. Furthermore, CMS stores accumulating billing data. The recipients of the data are listed in Appendix 1 to this Data Privacy Statement.

Personal data you made available is used to fulfill the service contract CMS concluded with you. The legal basis of such processing is the *necessity for the performance of the contract* (Article 6 para. 1 (b) GDPR). In addition, we use your e-mail address for purposes of direct marketing (information on products, newsletters, etc.). The legal basis of such processing is the protection of *legitimate interests* pursued by CMS (Article 6 para. 1 (f) in conjunction with recital 47 and 50 GDPR).

In general, any and all information that allows us to individually identify people are considered personal information. We always receive and transmit any and all personal data by way of encryption. If you purchase services that are subject to a fee, payments which refer to Teampplace consumer accounts are handled by the German company PayOne GmbH (Appendix 1), while payments which refer to Cortado MDM accounts are handled by Chargebee Inc. (Appendix 1) and Stripe Inc. (Appendix 1).

Optionally you can use existing credentials from Facebook or Google accounts to register with Teampplace or log-in to your Teampplace account. In this case Teampplace retrieves the following information from Facebook or Google: public profile (including name and avatar), e-mail-address (for setting up the Teampplace account) and user ID (for matching the Teampplace account with the Facebook or Google user). Facebook and/or Google will log your use of the Teampplace account.

Upon registration with Teampplace you must choose a display name. It is NOT required that you provide your real name, it is explicitly permitted to choose names like “Pippi Longstocking” or “Ronja the Robber’s Daughter” as a display name. The freely selectable display name is displayed to all users of the created team project and allows for allocation of your Teampplace account in a manner compliant with data protection regulations. The e-mail addresses of Teampplace members can only be seen by the owner of the respective Teampplace. However, if you use Teampplace Business for use in your company, all of the company’s own members can see every users e-mail address. Here, the legal basis of processing the mentioned data is the protection of *legitimate interests* pursued by CMS (Article 6 para. 1 (f) in conjunction with recital 47 GDPR).

If you open and / or edit an Office document, it is sent to *Microsoft Office (365) Online* by default and will be opened there for you to edit (www.office.com, for more see Appendix 1). After closing the document, it is automatically transferred back to Teampplace. If you want to prevent such procedure, you can disable the *Microsoft Office* option in your Teampplace user preferences; in which case, Office documents will be opened and edited using the open-source program *LibreOffice*, which runs locally on the Teampplace server.

Usage data

On your visit to a CMS **website**, we send a **cookie**, e.g. a small electronic file consisting of a certain character string allowing us to identify your browser (see www.cortado.com/cookies or www.teamplace.net/cookies). Additional cookies are used for caching your credentials and user preferences. All CMS cookies are recognizable by the string **cortado.com**, **my-cortado.com** or **teamplace.net**, which can be found in the name of the cookie. However, you have the option to set your browser to refuse cookies or to ask you every time a cookie is sent. Refusing only third-party cookies prevents logging in with your Facebook or Google credentials. A refusal of *all cookies* (or of Cortado or Teamplace cookies) would however prevent the login with the Cortado or Teamplace service itself. The legal basis for the processing of essential or technically necessary cookies is the *necessity for the performance of the contract* (Art. 6 para. 1 (b) GDPR) by CMS. For all other cookies, we will ask you *to give your consent* (Art. 6 para. 1 (a) GDPR), or – if you refuse to give your consent– we will refrain from using such cookies.

Furthermore, CMS servers automatically record usage data that your browser sends when you visit a website. These so-called **log data** include your web request, IP address, browser type, browser language, date and time of a request and cookies. These log data allow to clearly distinguish your browser from other browsers. If required, log data is used by CMS only for purposes of evidence, error detection as well as for identifying and repelling hacker attacks. These data will be automatically deleted after 30 days. Here, the legal basis is to protect the *legitimate interests* pursued by CMS (Article 6 para. 1 (f) in conjunction with recital 47 GDPR).

CMS **cloud services** collect usage data concerning your end device(s) and pattern of use that are transmitted to CMS due to your use of cloud services offered by CMS. CMS will evaluate, process, use, and publish, if applicable, such data only with ensured anonymity and in a summarized manner.

Third parties / Target group orientated ads

CMS uses the following third parties for analytical purposes and/or to place their own interest-based ads on the websites of these third-party providers:

- Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA (for analytics + ads)
- Twitter Inc., 795 Folsom St., Suite 600, San Francisco, CA 94107, USA (for ads)
- Facebook Inc., 1601 Willow Road, Menlo Park, CA 94025, USA (for ads)

For ads, cookies (also referred to as tags, user action or tracking pixels) from the above mentioned third-party providers are placed in your web browser once you have logged in with your third-party account and looked at or clicked on an advertisement there. This allows CMS to track users' actions, the effectiveness of advertisements for statistical and market research purposes and to display ads regarding products or services that may interest you. All data collected this way is anonymous for CMS (usage data); in other words, CMS does not see the individual user's personal data (user data).

However, these usage data may be stored and processed by the respective third party. If you also log-in to your relevant third-party account using the same web browser, the pertinent third-party provider could connect your usage data with your local account – thus your user data – and use for their own promotional purposes. To prevent that from happening, you can either block the above-mentioned third-party cookies via browser settings or use two different web browsers on the same device – one for logging in to your Cortado or Teamplace account and another one for logging in to the third-party provider account.

CMS only uses the collected personal data as indicated for the purposes they were actually intended for and compatible purposes, such as those mentioned above. In detail, these are: provision of CMS' services and products for users and the development of new services and products. Information regarding the kind and purpose of collected personal data can be found while using or booking the services and products.

To analyze the activities on its websites, CMS uses the functions of Google Analytics. To ensure anonymization of IP addresses, Google provides an extension to the Google Analytics Code. Integrating the code extension “anonymizelp”. By using the code extension, the last 8 bit of the IP address will be deleted and therefore anonymized. This only permits a rough localization and is approved by the German data protection authorities. CMS anonymizes any and all IP addresses before their transmission to Google via Javascript with the code line "ga('set', 'anonymizelp', true);" or "_gaq.push(['_gat._anonymizelp']);" in your browser (see <https://support.google.com/analytics/answer/2763052?hl=en>).

Data collected by CMS

CMS offers *sale, consulting and support* of its services. For this purpose, personal data is stored in a customer database of Freshworks Inc. (Appendix 1). The legal basis of the procedure is the protection of *legitimate interests* pursued by CMS (Article 6 para.1 (f) in conjunction with recital 47 GDPR).

At customer or partner events, at trade fairs or conferences, photographs are taken or occasionally videos are recorded for marketing purposes. The persons depicted will not be named without their consent. Here, the legal basis of processing the mentioned data is the protection of *legitimate interests* pursued by CMS (Article 6 para. 1 (f) in conjunction with recital 47 and 50 GDPR).

Processing for a purpose other than that for which the personal data have been collected / Objection

Personal data that you have provided to us, for example by filling in a registration, contact, application, download or support form or a newsletter subscription, may occasionally be used for another purpose that is compatible with the original one (e.g. for a newsletter about the product you are using or another CMS product). In any case, the requirements of Article 6 para. 4 GDPR will be complied with. The legal basis for such procedure is also the protection of *legitimate interests* pursued by CMS (Article 6 para. 1 (f) and para. 4 in conjunction with Recital 47 GDPR).

You are at all times entitled to refuse to provide personal information or to object processing of provided personal data. Please be aware though that in such case CMS might not be able to offer you all available services. If you object to the further processing of your personal data (Art. 21 GDPR) or demand its erasure (Art. 17 GDPR), CMS shall delete said data immediately; in the case of pending obligations arising from an existing contractual relationship between you and CMS upon termination of this contractual relationship or, if applicable, after a statutory retention period has expired.

Transfer of personal data to third parties

In addition to the purposes outlined above for *analytics* and *interest-based ads*, CMS is providing personal data to the cloud service providers listed in Appendix 1. The legal basis of such processing is the protection of *legitimate interests* pursued by CMS (Art. 6 para. 1 (f) in conjunction with recital 47 and 50 GDPR).

CMS web pages and cloud services include a number of social media buttons such as Twitter, Facebook, and LinkedIn. Data will only be send to the respective third-party provider if you explicitly click on the relevant button. By doing so, your browser establishes a direct connection to a web server of the respective social network. As a result, the social network receives the information that you have accessed one of our corresponding website. If you are logged in to the social network at the same time and with the same browser you visit our website, the social network can assign your website visit to your account. Again, we recommend using two different web browsers on the same device to use our websites and services on the one hand, and to log in to the social network on the other, should you wish to exclude the use of your usage data for advertising purposes.

Without your consent, CMS will only transfer or disclose your personal data upon presentation of a search warrant, judicial order, judicial decree or another form of lawful cases regulated by law. In such cases, the legal basis lies in the *compliance with a legal obligation* (Art. 6 para. 1 (c) GDPR).

Data security

CMS uses adequate security measures to prevent unauthorized access or change, transfer or deletion of personal information. Such measures include, but are not limited to, internal review of our data collection practices, data storage and processing as well as technical and organizational security measures to prevent access to the systems we use to store such sensitive data.

Any and all data collected via the cloud solution Teamplace are filed at Frankfurt/Main, Germany, at the facilities of AWS *Europe Frankfurt/M*. Only exception to this rule is the conversion of video files into formats that can be played on mobile devices; for this procedure (Elastic Transcoding), the videos must be transferred to the facilities of AWS *Europe Ireland*. Hence, the strict data protection laws and regulation of the GDPR apply. AWS is the cloud provider Amazon Web Services (410 Terry Avenue North, Seattle WA 98109, USA), which only provides the server platform. The management of the encryption of the connection to AWS and the Teamplace data including their encryption is the responsibility of CMS and its parent Cortado Holding AG (Alt-Moabit 91 b, 10559 Berlin, Germany). AWS has been certified according to German principles of Basic IT Security by the TÜV Austria Group. For further information on data privacy and compliance at AWS, please visit https://aws.amazon.com/compliance/resources/?nc1=h_ls.

Any and all data collected via the cloud solution Cortado MDM are filed at Microsoft Azure's *West Europe Netherlands* site. At this site, the strict data protection laws and regulation of the GDPR apply. As a cloud provider, Microsoft Azure (Microsoft Corporation, One Microsoft Way, Redmond, Washington 98052, USA) only offers the server platform. The management of the data including their encryption is the responsibility of CMS and its parent Cortado Holding AG. Learn more about Azure security on docs.microsoft.com/en-us/azure/security.

In addition, CMS websites, including the online shop, are hosted at WP Engine Inc. (for more information see Appendix 1 to this Data Privacy Statement). WP Engine only provides the web server platform. The management of the data including the encryption, however, lies exclusively with CMS. For further information on data privacy and compliance at WP Engine, please visit <https://wpengine.com/legal/privacy/>.

Access to such data is internally limited to such members of staff who for the operation, development, and improvement of our services and products require knowledge of such data. Such members of staff are required to adhere to special confidentiality requirements. If such members of staff, however, breach the secrecy requirements, they have to face consequences under labor law and/or criminal prosecution.

Access to and updating or deletion of personal data

CMS enables you to access your personal data through the various websites and offers you the possibility to correct, modify or delete such data if necessary and if they are not required for legal means of processing contractual relations. In the interest of data security, you have to identify yourself with your log-in credentials before you can modify or delete any personal data.

Enforcement

CMS regularly checks compliance with this Data Privacy Statement. If you have any questions, comments, requests for information, rectification, processing restrictions, portability or erasure of data, please feel free to contact our duly appointed Data Protection Officer at dataprotection@cortado.com. **You have the right to object to the processing of your personal data or to revoke your consent at any time.** In addition, you have the right to complain to the relevant recourse authority.

Offer to conclude a Data Processing Agreement

On your instructions and within the framework of the service provision personal data is collected, processed and / or used by CMS. According to Art. 28 of the GDPR the contracting authority – i.e. you – is responsible for complying with the data protection rules. You can fulfill this obligation by concluding a Data Processing Agreement with CMS, which meets the legal requirements of the GDPR. Upon request CMS will be happy to provide you with a draft of a Data Processing Agreement along with an Addendum describing our technical and organizational security measures to protect personal data. Once provided to you, you only have to check and sign these documents. If you have any concerns, inquiries or if you need further information or assistance, we are happy to assist you at dataprotection@cortado.com.

Alterations and amendments

Please note that this Data Privacy Statement may be altered and/or amended from time to time. Without your express consent, though, we will not restrain your rights under the current Data Privacy Statement. Amendments and/or alterations concerning the Data Privacy Statement will be announced by CMS on the websites. Earlier versions of the Data Privacy Statement will be filed and will be available for reference upon your request.

Berlin, May 2020

Appendix 1: Subprocessors

The following companies process personal data on behalf of CMS:

Name and address of Subprocessor	Description of performance
Cortado Holding AG , Alt-Moabit 91 a/b, 10559 Berlin, Germany (parent company)	Company's business activities, like: <ul style="list-style-type: none"> • administration of websites, social media and web- and cloud services such as <i>Cortado MDM</i>, <i>Teamplice</i>, <i>Amazon Web Services</i>, <i>Open Telekom Cloud</i>, <i>Microsoft Azure</i>, <i>ezeep</i>, <i>ThinPrint Cloud Printer</i> and <i>ThinPrint Mobile Session Print</i> • services such as marketing, sales, customer support, recruiting, team-management, processing of payments and accounting • representation of contractor towards authorities and companies in legal and tax matters, auditing, personnel management, retirement and profit sharing • security organization such as IT administration, IT security, alarm system and security
Cortado Inc. , 3858 Walnut St #130, Denver, CO 80205, USA (sister company)	Services for contractor (such as sales, consulting and customer support)
Cortado Pty Ltd. , Level 12, Plaza Building, Australia Square, 95 Pitt Street, NSW 2000 Sydney, Australia (sister company)	Services for contractor (such as sales, consulting and customer support)
Amazon Web Services Inc. , 410 Terry Avenue North, Seattle, WA 98109-5210, USA	Hosting of cloud services such as <i>Teamplice</i> and <i>CMS Identity Server</i> at the AWS site <i>Frankfurt/M.</i> (<i>Teamplice</i> video file conversion at the AWS site <i>Europe Ireland</i>)
Avenue 81 Inc. d/b/a Leadpages , 251 N. 1st Avenue, Suite 200, Minneapolis, MN 55401, USA	Newsletter service provider
Bright Market LLC dba FastSpring , 801 Garden Street, Suite 201, Santa Barbara, CA 93101, USA	Payment processing when using the online shop
Chargebee Inc. , 340 S Lemon Ave # 1537, Walnut, California 91789, USA	Payment processing when using the online shop
Freshworks Inc. , 1250 Bayhill Drive, Suite 315, San Bruno, CA 94066, USA	Use of cloud services <i>Freshdesk</i> for support and consulting and <i>Freshsales</i> for Customer-Relationship-Management
Microsoft Corporation , One Microsoft Way, Redmond, Washington 98052, USA	Hosting of cloud service <i>Cortado MDM</i> at the Microsoft Azure site <i>West Europe Netherlands</i>
SurveyMonkey Europe UC , 2nd Floor, 2 Shelbourne Buildings, Shelbourne Road, Dublin, Ireland	Survey platform as a cloud service
WP Engine Inc. , 504 Lavaca Street, Suite 1000, Austin, Texas 78701, USA	Hosting of CMS websites (providing web server platform)