

Privacy Notice
NovoServe

Last updated: May 2022

Privacy Notice

1 Who are we and what do we offer?

We are NovoServe B.V. (“NovoServe”). We are an infrastructure-as-a-service provider. We provide hosted IT-infrastructure to our Clients (our “Services”).

You can find more information about our Services and purchase our Services on our Website: www.novoserve.com.

2 Personal Data and Controller

We process Personal Data within the meaning of the General Data Protection Regulation (GDPR). Personal Data means all information by which a person can be directly or indirectly identified. In this Privacy Notice we explain what kind of Personal Data we collect via our Services as the so-called Controller under GDPR. This means we determine the purposes and means of the processing of such Personal Data. We also explain what role we have in the processing of Personal Data, how long we retain them and what rights you have as a data subject.

If you have questions about the processing of your Personal Data, you can always contact us through the contact details listed at the bottom of this Privacy Notice.

With regard to Personal Data that is processed, stored or hosted by our Clients using our Services, we act as Processor within the meaning of the GDPR. This means we process the Personal Data on behalf of our Clients. Our Clients act as Controller within the meaning of the GDPR for such processing of Personal Data. This Privacy Notice does not apply to such processing of Personal Data.

3 What Personal Data do we collect as Controller?

If you create an account on our Website, we process the following Personal Data:

(Personal) Data:	Purpose(s):	Legal basis:
Account information: - first and last name; - e-mail address; - phone number; - billing address; - password; and - order history.	We use these data to: - register your account and provide you with access to your account and our Platform; and - provide you with an overview of your order history.	We may process these Personal Data to perform our contract with you, i.e. with respect to the use of the Platform.

If you (indicate you want to) purchase a Service from us, we process the following Personal Data:

(Personal) Data:	Purpose(s):	Legal basis:
<p>KYC-information:</p> <ul style="list-style-type: none"> - first and last name; - address; - information we obtain about (international) sanctions from public databases (e.g., the official website of the European Union or the US Department of the Treasury). In this context we may process personal data related to criminal offences; - MaxMind Fraud Risk Score; - (Type of) e-mail address; - IP address (type of network used); - payment method; - telephone number; - (personal data contained in) company registration documents. 	<p>We use these data to manage and identify risks:</p> <ul style="list-style-type: none"> - We use your first and last name to check whether it is included in public sanctions list, as we do not offer any services to persons listed in such sanctions list. - We use your first- and last name and address to receive your MaxMind Fraud Risk score and have your address validated. - We use your (type of) e-mail address, IP address and payment method to assess your risk level, as certain type of e-mail providers, networks and payment methods are used often by abuse-sensitive customers. - We use your telephone number for SMS-validation. - We use company registration documents to make sure you are entitled to represent the company purchasing our Services. 	<p>We process these Personal Data because we have a legitimate interest to process these Personal Data, i.e., to identify and manage risks (e.g., of fraud and terrorist activities performed via our Services).</p>

<p>Contact/payment details:</p> <ul style="list-style-type: none"> - (company) name; - e-mail address; - bank details (account number, IBAN and BIC-code); and - VAT identification number. 	<p>We use these data to:</p> <ul style="list-style-type: none"> - handle, check and administer payments from or to you/your company; - maintain our list of accounts receivable and outstanding invoices; and - include in our administration on behalf of the tax authorities. 	<p>We may process these data, because this is necessary to perform our contract with you or the company you work for. In the latter case, we have a legitimate interest to process Personal Data about you in order to effectively perform the contract with the company you work for.</p> <p>We may also process these data because we are legally obligated to administer for (and share some of these data with) tax authorities.</p>
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In the context of a report of a (suspected) breach of our Acceptable Use Policy (<https://www.novoserve.com/legal>), we process the following Personal Data:

(Personal) Data:	Purpose(s):	Legal basis:
<p>Report information:</p> <ul style="list-style-type: none"> - first and last name and e-mail address of the submitter; - the IP address owned by Novoserve and used by the Client to whom the report relates; and - Personal Data included in the piece of evidence (logs, 	<p>We use these data to:</p> <ul style="list-style-type: none"> - notify the Client about the report. <u>This notification will not include any Personal Data of the submitter;</u> and - handle the complaint and verify whether there has been a breach of our Acceptable Use Policy. 	<p>We may process these data because we have a legitimate interest to do so, namely in order to guarantee responsible and safe use of our Services.</p>

screenshots, etc.).		
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Personal Data we process if you are an Applicant:

(Personal) data:	Purpose(s):	Legal basis:
<p>Contact details:</p> <ul style="list-style-type: none"> - first and last name; - email address; - address; and - telephone number. 	<p>We use these data to:</p> <ul style="list-style-type: none"> - contact the Applicant about the application. 	<p>We may process these Personal Data, because we have a legitimate interest in processing these data. We need the data to get (and keep) in touch with the Applicant and to process and review the application.</p>
<p>Application information:</p> <p>Information provided by the Applicant, among others Personal Data included in the Curriculum Vitae and motivation letter, qualifications, photo, gender and day of birth.</p>	<p>We use these data to:</p> <ul style="list-style-type: none"> - assess whether the Applicant suits the job and NovoServe; - determine which Applicant is the most suitable candidate. 	<p>We may process these Personal Data, because we have a legitimate interest in processing these data and because the Applicant provides this data itself and voluntarily. We need the data to get (and keep) in touch with the Applicant and to process and review the application.</p>
<p>Information retained during the application process:</p> <p>Notes from interviews.</p>	<p>We use these data to assess whether the Applicant suits the job and NovoServe;</p>	<p>We may process these Personal Data, because we have a legitimate interest in processing these</p>

	<ul style="list-style-type: none"> - determine which Applicant is the most suitable candidate. 	<p>data. We need the data to get (and keep) in touch with the Applicant and to process and review the application.</p>
<p>Information from public sources:</p> <p>Information in public profiles, such as LinkedIn and other social networks (where applicable).</p>	<p>We use these data to:</p> <ul style="list-style-type: none"> - assess whether the Applicant suits the job and NovoServe; - determine which Applicant is the most suitable candidate. 	<p>We have a legitimate interest to process these Personal Data as we need them to process and assess the application.</p> <p>We only process information that is relevant for the application and the Applicant gets the opportunity to react to our findings.</p>

Other Personal Data we may process:

(Personal) Data:	Purpose(s):	Legal basis:
<p>Via our social media pages:</p> <p>Information of visitors who leave a comment or otherwise post something on our social media pages, including the Personal Data within these comments and/or posts.</p>	<p>We use these data to:</p> <ul style="list-style-type: none"> - contact the visitors in reply of their post and/or comment via our social media pages; and - process the feedback left on our social media pages. 	<p>We may process these Personal Data, because we have a legitimate interest to process these data and because the visitors voluntarily made public such information.</p> <p>Our social media pages are also controlled by the social medium itself. Please</p>

		<p>check their own privacy notices, to see how each social medium handles Personal Data:</p> <p>LinkedIn: Privacy Policy</p> <p>Twitter: Privacy Policy</p> <p>Facebook: Privacy Policy</p> <p>Youtube: Privacy Policy</p>
<p>If you contact us:</p> <ul style="list-style-type: none"> - first and last name; - e-mail address; and - the content of the correspondence. 	<p>We use these data to:</p> <ul style="list-style-type: none"> - answer your questions and/or handle any complaints; - support you in using our Services; and - improve our Services because of questions and feedback from you. 	<p>We may process these data, because we have a legitimate interest to contact and assist you based on your comment or question and to improve our Services because of the questions and feedback we receive.</p>

<p>If you subscribe to our newsletter:</p> <ul style="list-style-type: none"> - first and last name; and - e-mail address 	<p>We use these data to:</p> <ul style="list-style-type: none"> - send you our newsletter and keep you informed on all our (future) Services. 	<p>We may process these data, if you gave us your consent to do so (by subscribing via our Website).</p> <p>We may send our Users – who paid for our Services – newsletters, because we have a legitimate interest to do so.</p> <p>In every newsletter there is a link via which you can unsubscribe.</p>
<p>If you use our Website:</p> <p>Information on how the Website is accessed and used, such as your IP-address, when and for how long you visit the Website, which pages you visit on the Website, on which links you click and technical information (e.g., type of browser and operating system) (“Usage Data”)</p> <p>We collect the Usage Data using cookies and/or similar techniques.</p>	<p>Our Cookie Statement (https://www.novoserve.com/legal) outlines the purposes for which Usage Data is processed and the principles underlying the processing of Usage Data.</p>	<p>We may process these data because we have a legitimate interest to do so, namely, to analyse and improve the Platform, or because we have obtained your consent.</p>

4 Mandatory information

When you engage our Services, it may be legally or contractually required that you provide us with certain Personal Data. For example, we need your name, email address and password to create an account for you. Where you do not provide us with such information, this will usually imply that we will not be able to provide you with specific Services or perform part of our agreement with you.

5 Automated decision-making

We use software to establish your risk profile, as explained above under KYC-information. If no issues are identified in such process, your request to purchase our Services is automatically approved. All disapprovals are always reviewed manually first.

We also monitor on an ongoing basis whether any new information would affect your risk profile manually. An update of your risk profile might result in the performance of additional reviews of your account details, revalidation requests via email or SMS or the decision to stop providing our Services to you.

You can always request (another) manual review, express your point of view and/or contest a decision as mentioned above by contacting us via: security@novoserve.com

6 How long do we keep the Personal Data?

We will not process or store any Personal Data that we do not need. We store Personal Data for as long as we need it for the above purposes unless we are legally obliged to retain the Personal Data for a longer period. In this respect, we apply the following retention periods:

- Account information | Your Account/Portfolio information is retained as long as your account is activated and will be deleted within one (1) month after the deactivation of your account (unless stated otherwise below). If your account has been inactive for two (2) years, we will delete your account after sending you a reminder.
- Newsletters | We retain the Personal Data used for sending newsletters until you unsubscribe from our newsletters, or we decide to not send newsletters anymore.
- Cookies | You can find more information about the retention periods of Personal Data collected via cookies in our Cookie Statement (<https://www.novoserve.com/legal>).
- Personal Data in correspondence | This data is stored as long as necessary to handle your message/question/feedback.
- Personal Data in our records for the (tax) authorities | This data is stored for seven (7) years unless we are legally obliged to retain the data for a longer period.

- Personal data of job applicants | We store these Personal Data for a maximum of 4 weeks after the application process unless the Applicant has given us permission to store the Personal Data for (up to) 1 year.

Apart from (and even after expiry of) the aforementioned purposes and corresponding retention period(s), we may process and retain certain Personal Data to comply with legal retention obligations and/or for fraud/misuse investigations or to substantiate a (judicial) claim. In such events, we will retain the Personal Data separately and only use such Personal Data for the aforementioned purposes.

7 Do we share your Personal Data with others?

Processors

We use third parties (Processors) who support us in providing our Services. Within this context these Processors receive Personal Data from us which they process on our behalf. We use Processors for accounting (e.g., Twinfield and Mazars), online fraud prevention (e.g., MaxMind), customer relationship management, online marketing and web analytics (e.g., HubSpot), our chat service (e.g., Muze) and cloud security tools (e.g., Hybula).

These Processors may only use or disclose the data collected and processed by us within the scope of our instructions to them and under no circumstances for other purposes. We enter into a data processing agreement with all of our Processors.

Controllers

We may also share your Personal Data with external controllers in the following cases:

Payment provider: Payments for our paid Services will be processed by Stripe, Passion and/or Mollie and the specific third-party payment provider that you choose, such as Visa, MasterCard, Maestro, PayPal, or Apple Pay.

Tax authorities: We are legally obliged to include (some of) the Personal Data in our financial administration, which must be shared with the national tax authority. The tax authority will process these Personal Data in accordance with its own privacy policies.

Apart from the above, we will not share your Personal Data with third parties, unless we are legally obliged to do so.

8 Export of Personal Data outside the European Union

We may transmit Personal Data to parties outside the European Union, if one of the Processors or Controllers is established outside the European Union. The Personal Data will only be transferred to countries and/or parties that provide an adequate level of protection in accordance with the European standards. You contact us if you wish to receive more information or a copy of the safeguards we take in this scope where necessary.

9 Third party websites

You may find advertising or other (hyper)links on our Website that link to the websites, products and services of partners, suppliers, advertisers, sponsors, licensors or other third parties. We do not control the content or the links that appear on these websites and we are not responsible for the practices employed by websites linked to or from our Website. In addition, these websites, products, and services, including their content and links, may be constantly changing. These websites, products and services may have their own privacy notices, user terms and customer service policies. Browsing and interaction on any other website, including websites that are linked to or from our Website, are subject to the terms and policies of that website.

10 Changes of the Privacy Notice

The Privacy Notice may be changed from time to time. Please check our Privacy Notice frequently. The new Privacy Notice will be effective immediately upon posting on our Website. If we change our Privacy Notice significantly, then we will state so on our Website together with the revised Privacy Notice.

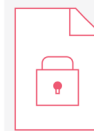
11 Your rights as a data subject and our contact data

You have the right to...



Access

... obtain confirmation as to whether or not your personal data are being processed by us, and, if that is the case, access to the (categories of) personal data and information about our processing activities and a copy of your personal data.



Restriction of processing

... obtain restriction of processing of your personal data under certain circumstances. In such case, we may still store your personal data, but our use of your personal data for certain purposes will be restricted.



Rectification

... obtain rectification of any inaccurate personal data concerning you. You also have right to have incomplete personal data concerning you completed.



Data portability

... receive the personal data you have provided to us in a structured, commonly used and machine-readable format and to transmit those data to another controller or have us do that for you under certain circumstances.



Erasure

... obtain the erasure of your personal data under certain circumstances, for example if the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.



Object

... object to our processing of your personal data based on (among others) legitimate interest under certain circumstances. You may always object to the processing of your personal data for direct marketing purposes.

You are always entitled to file a complaint with a data protection supervisory authority if you believe that we are not processing your personal data in accordance with the GDPR. In the Netherlands, the supervisory authority for data protection is:

Autoriteit Persoonsgegevens

Website: <https://www.autoriteitpersoonsgegevens.nl>

If you have questions or concerns about this Privacy Notice or your privacy, you can contact us at security@novoserve.com.

NovoServe B.V.

Hengelosestraat 201

7521 AC Enschede

The Netherlands

E: security@novoserve.com

W: www.novoserve.com.

Chamber of Commerce: 59844299