

**GDPR and privacy is important to Leaseweb Deutschland GmbH (hereinafter “Leaseweb DE”) and its business relations. Leaseweb DE duly informs you of Leaseweb DE’s practices with respect to the possible processing of personal data while doing business with you (“Personal Data”).**

#### COMPLIANCE WITH INTERNATIONAL DATA PROTECTION LAWS, IN PARTICULAR THE EU GENERAL DATA PROTECTION REGULATION

Leaseweb DE complies with international data protection laws, in particular the Regulation 2016/679/EU of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“GDPR”). Leaseweb DE has implemented the following requirements under the GDPR, including but not limited to:

- A record of our Personal Data processing activities.
- Adequate organizational and technical protection measures (more information can be found in this Privacy Statement).
- Request forms and internal instructions for Privacy by design & default, data subject rights like the “right to be forgotten”.
- A Data Processor Agreement in our role as data controller and data sub-processor.
- A data breach procedure.
- An internal Leaseweb privacy policy.

#### WHEN LEASEWEB DE MAY PROCESS PERSONAL DATA ABOUT YOU IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may collect your Personal Data when:

- You order a service from Leaseweb DE.
- You enter a promotional game of chance with Leaseweb DE.
- You participate in a Leaseweb DE survey.
- You subscribe to a Leaseweb DE newsletter.
- You ask Leaseweb DE for more information about a Leaseweb service, or contact Leaseweb DE with a question, comment or complaint.
- You submit an abuse notification to Leaseweb DE.
- You use the Leaseweb DE network, Leaseweb DE infrastructure and/or other Leaseweb DE services.

Leaseweb DE also collects Personal Data about you from Leaseweb Global B.V. (hereinafter “Leaseweb Global”) and other affiliates of Leaseweb DE. In addition, Leaseweb DE may collect Personal Data about you from fraud-prevention agencies, referral partners, business directories and credit reference agencies.

#### WHAT PERSONAL DATA LEASEWEB DE MAY PROCESS ABOUT YOU IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may collect the following information about your business:

- Your business contact persons names, address, phone number, date of birth, email address and personal identification numbers or legally authorized representatives.
- Your Leaseweb DE account information – such as Leaseweb DE services you ordered, domain name registration information, the IP addresses assigned to you, your customer ID, fees owed and received, the use of Leaseweb DE services or any other information related to your account.
- Your contact with Leaseweb DE – such as a note or recording of a call you make to Leaseweb DE, a chat record when you engage in a chat session with Leaseweb DE, an email or letter you send to Leaseweb DE or other records of any contact you have with Leaseweb DE.
- Information about your payment method, such as credit card number, bank account number or other banking information.
- Information provided by you to Leaseweb DE when you notify Leaseweb DE of a (suspected) breach of Leaseweb DE’s acceptable use policies.
- Video footage of you when you are in a Leaseweb DE datacenter or the public space outside and inside our offices.
- Documents and information that certify your identity.

#### WHY LEASEWEB DE PROCESSES YOUR PERSONAL DATA IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE processes your Personal Data for the following purposes:

- Processing of orders, contracts and provision of services.
- Conducting market research, conducting retention and customer satisfaction surveys, conducting marketing activities (including through email newsletters, social media and onsite/offsite and online/offline advertisement), conducting sales activities (including analyzing your Personal Data and your use of Leaseweb DE services for making (tailormade) offers and quotations with the aim of entering into a customer relationship, and/or maintaining, renewing or expanding a customer relationship) and offering promotional games of chance.
- Communicating with customers (i) to provide information about services of Leaseweb DE and affiliated companies, (ii) to provide information about offers, orders, provision of services, contract status and payment, (iii) to provide support and maintenance services, (iv) to handle complaints, and (v) to answer questions from (potential) customers.
- Performing financial processes, including (i) calculating, invoicing and collecting of service fees, (ii) processing financial transactions regarding the acceptance of orders, and (iii) granting debt collection rights to third parties.
- Investigating creditworthiness and risk management, including prevention of overextending credit to (potential) customers and verifying whether (potential) customers will be able to comply with financial obligations.
- Investigating and processing suspected violations of Leaseweb DE’s acceptable use policy.
- Ensuring the security of persons, goods and objects, and performing fraud detection.
- Conducting legal processes, including (i) conducting legal proceedings, and (ii) collecting evidence for civil legal proceedings relating to you.
- Complying with statutory obligations, including (i) provision of data to authorized authorities in the context of criminal investigations, (ii) complying with (applicable) data retention obligations, and (iii) the provision to third parties of Data concerning customers in connection with an infringement of these third parties’ rights.

- Establishing the identity of customers or third parties, including in relation to the provision of access to data centers and our offices.

#### SHARING YOUR PERSONAL DATA WITH THIRD PARTIES IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may share Data about you with:

- Its group affiliates including Leaseweb Global B.V. for the purposes of financial, tax, sales, marketing and operational tools and services (including the websites [www.leaseweb.com](http://www.leaseweb.com), the Leaseweb Customer Portal and the Leaseweb API) that may be used to order or manage Leaseweb DE Services or to communicate with Leaseweb DE. Please review the Privacy Statement of Leaseweb Global on our website to learn about its practices with respect to the collection, storage and use of your Data.
- Partners or agents involved in delivering the services ordered with Leaseweb DE.
- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Domain name registries when Leaseweb DE registers a domain name on your behalf.
- Debt collection agencies or other debt recovery organisations.
- Law enforcement agencies, regulatory organisations, courts or other public authorities to the extent required by law.
- A Leaseweb DE customer, if you notify Leaseweb DE that this customer use of Leaseweb DE services violates the Leaseweb DE's Acceptable Use Policies or applicable law.
- A third party that has claimed that your use of the Leaseweb DE services violates the Leaseweb DE's Acceptable Use Policies or applicable law (to the extent such sharing is required by law).

#### LEASEWEB DE IN ITS ROLE AS SUB-PROCESSOR

Personal Data hosted, transmitted or processed on infrastructure owned by you or leased from Leaseweb DE is governed by this paragraph. The customer of Leaseweb DE that owns or has leased Leaseweb DE infrastructure, will be responsible for determining the purposes and means of the processing of Personal Data, and this Leaseweb DE customer (or its customers) will be the data controller in regards to such processing. If at any time Leaseweb DE has access to personal data stored on infrastructure owned by a Leaseweb DE customer or leased from Leaseweb DE, then Leaseweb DE shall be a data sub-processor, and any actions performed by Leaseweb DE in relation to such data shall be solely governed by the agreement concluded between Leaseweb DE and its customer.

#### DATA RESIDENCY

Your data hosted on your own infrastructure or on Leaseweb's infrastructure is located in Germany. No data is transferred outside of the EU.

#### EU DATA SOVEREIGNTY

The Personal Data processed or stored by Leaseweb DE is subject to the laws and regulations of Germany and of the EU.

Leaseweb DE thereby benefits on its own behalf from its EU based ultimate ownership, management and control including cybersecurity matters. Thereby Leaseweb DE adheres to EU Data Sovereignty, and advocates for its Protection of European Data against Unlawful Access and its Immunity for Non EU law.

#### RETENTION PROCEDURES

Leaseweb DE will store your Personal Data as long as necessary to perform the purposes of processing as stated in this Privacy Statement. Leaseweb DE will delete data processed by us or restrict processing in compliance with the statutory provisions, in particular in accordance with Articles 17 and 18 GDPR. Unless explicitly stated in this privacy policy, we will delete stored data as soon as it is no longer required for its intended purpose. Data will only be kept after no longer being of purpose, if this is required for other and legally permissible purposes or if the data must be retained due to statutory retention obligations. In these cases, processing is restricted, viz. blocked and not processed for other purposes. Statutory retention requirements, for example, result from § 257 para. 1 HGB (German Commercial Code - 6 years for trading books, inventories, opening balance sheets, annual financial statements, commercial letters, accounting records, etc.) and from § 147 para. 1 AO (German Tax Procedure Code - 10 years for books, records, status reports, accounting records, commercial and business letters, documents relevant to taxation, etc.) store your Personal Data as long as necessary to perform the purposes of processing as stated in this Privacy Statement; unless otherwise required by law. Therefore, the exact retention period of your Personal Data may vary on case-by-case basis.

#### LEGAL GROUNDS

To process your information as described above, we rely on the following legal bases:

- **Performance of a contract:** the use of your information may be necessary to perform the contract that you have with us. For example, if you use our services, we will use your information to carry out our obligation to complete and administer that service under the contract that we have with you.
- **Legitimate interests:** the processing is necessary for the purposes of the legitimate interests pursued by us, namely for information security. We also want to provide you with the best suitable content of the website, emails and newsletters, to improve and promote our products and services and the content on our website, and for administrative, fraud detection and legal purposes and for sales and marketing processes with affiliates including Leaseweb Global.
- **Consent:** we may rely on your consent to use your Personal Data for certain direct marketing purposes to third parties that cannot be qualified as the following: prospects that granted consent in an earlier stage, customers, suppliers, consultants or other contractual relationships. You are entitled to withdraw your consent at any time by giving us notice. Upon receipt of a notice where your consent is withdrawn, we will without undue delay stop processing your Personal Data if and to the extent it is required and permitted under law. Please use the contact information at the bottom of the page should you wish to withdraw your consent given under this Privacy Statement.

#### TECHNICAL AND ORGANISATIONAL SECURITY PROCEDURES AND DATA TRANSFERS

In accordance with international data protection laws, in particular the GDPR, we observe adequate procedures to prevent unauthorized access to, and the misuse of, Personal Data. We use appropriate business systems and procedures to protect and safeguard the Personal

Data. We also use security procedures and technical and physical restrictions for accessing and using the Personal Data on our servers. Only authorized personnel are permitted to access Personal Data in the course of their work. Our business processes apply a series of security services are compliant with the industry security standards, including ISO 27001, SOC 1, PCI DSS, and NEN 7510.

Leaseweb DE has implemented the following, but not limited to, generic information security measures across its organisation: network segmentation, next generation firewalls, anti-virus software, full disk encryption of end-points, encrypted communication via SSL or VPN, Security Information and Event Management solutions, dedicated Security Operating Centre, security awareness training, segregation of duties, role-based access permissions (based on least-privilege), secure disposal facilities of confidential information, periodic pentesting of public facing services, secure development training, integrated security monitoring during development, tools to enable employees to work secure (such as password managers), physical security zones. Per application or communication, additional security measures can be implemented.

Leaseweb DE is frequently being audited by external parties to ensure it complies with relevant normative frameworks and controls within the Leaseweb Circle of Trust model. See [www.leaseweb.com/certifications](https://www.leaseweb.com/certifications) for more information.

In our role as data sub-processor, Leaseweb DE can provide to its customers a Data Processing Agreement (DPA) as required under the GDPR. If you as EU customer, supplier, or partner specifically require a Data Processing Agreement with Leaseweb DE, please contact us using the contact details below.

#### **DATA PROTECTION OFFICER ("DPO")**

The DPO of the Leaseweb group of European entities registered with the Dutch supervisory authority under number FG008004 is positioned at our headquarters in The Netherlands. This office serves as our international center of expertise for international data protection laws compliance, in particular GDPR compliance, effectively centralizing our connection with the Dutch and Hessian supervisory authority. The DPO can be reached at: [privacy@de.leaseweb.com](mailto:privacy@de.leaseweb.com).

#### **YOUR RIGHTS**

In accordance with data protection laws, you have a number of rights regarding your Personal Data and the processing thereof:

- You can view and, if necessary, change your Personal Data in your account at any time in case duly required.
- If you wish to know what Personal Data has been processed.
- You also have the right to obtain from us the erasure of your Personal Data (right to be forgotten) in case and to the extent duly required and permitted.
- In addition, you may, under certain circumstances, have the right to restriction of the processing of your Personal Data in case and to the extent duly required and permitted.
- You have the right to object, on grounds relating to your particular situation, at any time to processing of your Personal Data.
- You have the right to receive your Personal Data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller when the processing is based on your consent or is necessary for the performance of a contract (data portability).

If you have any requests regarding the abovementioned, please contact us using the privacy email boxes and contact details below. If we do not grant your request, we will inform you about the reason why.

#### **RIGHT TO LODGE A COMPLAINT WITH YOUR LOCAL SUPERVISORY AUTHORITY**

You have a right to lodge a complaint with your local supervisory authority if you have concerns about how we are processing your personal data. We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.

#### **STATEMENT CHANGES**

Leaseweb DE reserves the right to change the Privacy Statement, and will post any revisions on the Leaseweb website <https://www.leaseweb.com/legal/personal-data-protection-acts>. Leaseweb DE advises you to check this page regularly to see if any changes have been implemented.

#### **CONTACT INFORMATION**

If you have any requests, questions or suggestions about Leaseweb DE's privacy practices, please send an email to [privacy@de.leaseweb.com](mailto:privacy@de.leaseweb.com).

**Leaseweb Deutschland GmbH**, a private limited liability company, incorporated under the laws of the Federal Republic of Germany, registered in the Commercial Register of the Local Court of Frankfurt am Main under HRB 89607 and with its office at Hanauer Landstraße 121, 60314 Frankfurt am Main, Deutschland.