

APPLICATION SERVICES PRIVACY NOTICE

PURPOSE OF THIS NOTICE

This Privacy Notice ("Notice") explains which Personal Data we collect about you:

- A. On behalf of our Customer and for purposes defined by our Customer (the legal person who authorized you to use the Adverity Application Services);
- B. On our own behalf and for our own purposes;

and how this data is processed by Adverity as a Data Processor (A) or as a Data Controller (B).

"Adverity" means:

(1) if Customer is located outside of the United States, **Adverity GmbH**, an Austrian company whose registered business address is Rathausstrasse 1/2nd Floor, 1010 Vienna, registered at Handelsgericht Wien with the company registration number 448481g and

(2) if Customer is located in the United States, **Adverity Inc.**, a Delaware company whose primary place of business is 75 Rockefeller Plaza, Suite 22B, New York NY 10019.

"Customer" means a legal entity having a contractual relationship with Adverity.

This Notice is addressed to any User of the Adverity Application Services ("data subject" or "you").

For any additional information with regards to Adverity's privacy practices in general, please visit our [Privacy Notice on our Website](#) or [Data Protection Guidelines](#).

We process your Personal Data in compliance with the EU General Data Protection Regulation ("GDPR") and Applicable Data Protection Legislation. Unless otherwise defined in this Notice, the terms used herein shall have the same meaning as defined in the GDPR.

A. PROCESSING ON BEHALF OF OUR CUSTOMER (Adverity is your Data Processor)

This section A of the Notice explains which Personal Data we collect about you on behalf of our Customer (in this section A, "the Data Controller", the legal person who authorized you to use the Adverity Application Services) in order to enable your log-in into the Adverity

Application Services.

A Data Processing Agreement has been entered between Adverity and the Data Controller in order to set out the rules and responsibilities governing the processing of your Personal Data by us. This Section A of the Notice intends to support the Data Controller in complying with their obligation of information towards you under GDPR but **does not intend to shift the burden of this obligation of information on Adverity.**

This Section A of the Notice covers the processing of your Personal Data within the Adverity Application Services on behalf of the Data Controller and explains how we process your Personal Data in that context. For any information with regards to the Data Controller's privacy practices, please refer to the Data Controller.

1. WHAT PERSONAL DATA WE COLLECT AND FOR WHAT PURPOSE

We process Personal Data which are disclosed to us directly by you or by the Data Controller:

- Professional Email address;
- Name (on a voluntary basis);
- Timestamps;
- IP-Address.

This Personal Data is necessary in order to enable you to log in to the Adverity Application Services and therefore to fulfill our contractual obligations towards the Data Controller who purchased our services (Art 6 (1) b GDPR – performance of (pre-)contractual duties).

The above Personal Data is processed by default. If the Data Controller intends to process other categories of your Personal Data with the Adverity Application Services, it is their responsibility to inform you about such processing. For more details on the Data Controllers' processing operations and purposes, please refer directly to them.

Some of the data we request in connection with the above services are mandatory in order to enable your access to the Adverity Application Services. Without them, we may not be able to provide you access to our Application Services.

2. HOW LONG WE KEEP YOUR PERSONAL DATA

As a Data Processor, we follow the instructions of the Data Controller with regards to the storage of your Personal Data. As the data is stored only to enable the Log-In process, the

Data Controller will instruct us to delete such data as soon as your access to the Adverity Application Services is ended.

Beyond this period we keep your Personal Data for the Data Controller to comply with statutory retention obligations.

3. WITH WHOM DO WE SHARE THE PERSONAL DATA?

We may share your Personal Data only in accordance with the Data Processing Agreement with the following recipients:

If the contractual relationship is between Customer and Adverity GmbH:

- [Amazon Web Services legal entity contracting with Austrian legal entities](#); or [Google legal entity contracting with Austrian legal entities](#); or **Microsoft Ireland Operations Ltd**, (One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, D18 P521, Ireland) for hosting purposes;
- **Diva-e NEXT GmbH** (St. Martin Straße 72, 81541 Munich, Germany) for the purpose of providing onboarding services.
- **Snowflake Computing Netherlands B.V.** (Gustav Mahlerlaan 300, 1082 ME Amsterdam, The Netherlands) for the purpose of being a cloud-based data warehouse that provides the infrastructure, storage and processing engine to power data reporting and analysis.
- where disclosure is required (i) by law or regulation or (ii) to establish, exercise or defend legal claims, we may also disclose Personal Data to a competent authority, such as supervisory, regulatory or criminal authorities, courts of law or other third parties who advise us in this context (e.g. lawyers or forensics experts).

If the contractual relationship is between Customer and Adverity Inc.:

- [Amazon Web Services legal entity contracting with USA legal entities](#); or [Google legal entity contracting with USA legal entities](#); or **Microsoft Corporation**, (One Microsoft Way, Redmond, WA 98052, USA) for hosting purposes.
- **Diva-e USA LLC** (1340 Clay Street, Floor 4, Cincinnati, OH, 45174, USA) for the purpose of providing onboarding services.
- **Snowflake Inc.** (Suite 3A, 106 East Babcock Street, Bozeman, Montana 59715, USA), for the purpose of being a cloud-based data warehouse, that provides the infrastructure, storage and processing engine to power data reporting and analysis.

Some of these recipients may be located in countries outside the EU/EEA for which an adequate level of data protection has not yet been established by the EU Commission. It

should be noted that the level of data protection in such countries may not be the same as within the EU/EEA. Also, subject to local laws and regulations data may be accessible to local authorities or courts.

Please note that such transfers to recipients located outside the EU/EEA are only undertaken where the Data Controller gave us their prior approval in writing for such transfers.

Where Personal Data is transferred to such third countries, we implement appropriate safeguards to ensure that your rights are protected in accordance with the GDPR. This includes the conclusion of the EU Commission's standard contractual clauses for the transfer of Personal Data (Art 46 (2) c GDPR) as well as appropriate supplementary measures. Further details on the implemented safeguards as well as copies of the respective agreements are available at dpo@adverity.com.

B. PROCESSING ON OUR OWN BEHALF (Adverity is the Data Controller)

This Section B of the Notice explains which Personal Data we collect about you on our own behalf when you use the Adverity Application Services and how this data is processed by Adverity as the Data Controller ("Adverity" or "we").

This Section B of the Notice covers the processing of your Personal Data within the Adverity Application Services and explains how we process your Personal Data on our own behalf and for our own purposes in that context.

1. WHAT PERSONAL DATA WE COLLECT AND FOR WHAT PURPOSE

When you use the Adverity Application Services we may process Personal Data which you voluntarily provide to us (e.g. by means of a support request, during a research study).

However, you can also use the Adverity Application Services without actively providing us with information about you. In this case we collect certain data that your browser transmits to our website server.

The following explanations shall serve to inform you about the different ways we may collect Personal Data about you on the Adverity Application Services and for what lawful purposes we may use them.

When you use the Adverity Application Services, we may process the following Personal Data about you for the following purposes and based on the following legal grounds:

- User-ID, IP-address and login information for the purpose of providing you with our in-app “guided tours” (Art 6 (1) b GDPR – performance of (pre-)contractual duties);
- Your first and last name, email-address, telephone number, communications (telephone recordings, voicemail) for the purpose of processing your support requests (Art 6 (1) b GDPR – performance of (pre-)contractual duties);
- Your first and last name, email-address, telephone number, title for the purpose of offering you additional services (Art. 6 (1) f GDPR – legitimate interest of Adverity GmbH) or sending you our newsletter (Art 6 (1) a GDPR - consent);
- Your email-address for the purpose of receiving your request to create new connectors to the Application Services (Art. 6 (1) f GDPR – legitimate interest of Adverity GmbH);
- Browser information and tags in order to help us better understand your needs when using the Adverity Application Services (Art. 6 (1) f GDPR – legitimate interest of Adverity GmbH);
- Your contact information, demographic profile, audiovisual recordings and additional information you chose to share to us during research studies or through feedback and in-platform surveys (Art. 6 (1) f GDPR – legitimate interest of Adverity GmbH).

Some of the data we request in connection with the above services are mandatory in order to enable your use of the Adverity Application Services. Without them, we may not be able to provide you with our Application Services.

2. HOW LONG WE KEEP YOUR PERSONAL DATA

We generally retain your Personal Data for as long as this is necessary for the fulfillment of the purpose for which they were obtained. Thus, in any case we process your Personal Data for the duration of our service relationship with you. Beyond this period we keep your Personal Data to comply with any applicable statutory retention obligations). Where necessary we may also keep your data for as long as potential legal claims against us are not yet time-barred.

As soon as there are no legitimate grounds for the further storage of Personal Data available, they will either be deleted or anonymized.

3. WITH WHOM DO WE SHARE THE PERSONAL DATA?

For our own purposes mentioned above, we may share your Personal Data with the following recipients:

- Our employees and Affiliate companies (**Adverity GmbH**, an Austrian company whose registered business address is Rathausstrasse 1/2nd Floor, 1010 Vienna, Austria, **Adverity Technologies Ltd**, 81 Rivington Street, 4th Floor, London EC2A 3AY, United Kingdom, Registered Company Number 11225012; **Adverity Inc.**, 75 Rockefeller Plaza - Suite 22B, New York, NY 10019, United States; **Adverity sp.z.o.o.**, ul. Weglova 9/1st floor, 40-106 Katowice, Poland; and **Adverity EOOD**, "Professor Fridtjof Nansen" Str, floor 8, Sredets District, 1142 Sofia, Bulgaria) who may access your data where necessary in order to achieve the purpose of the processing and to support our internal business operations;
- **Appcues (Appcues Inc.**, 177 Huntington Avenue Ste 1703 PMB 94414 Boston, MA 02115-3153, USA), who is providing the in-app guided tours which will help you learn how to use the Adverity Application Services and complete the onboarding process;
- **DocuSign (DocuSign International (EMEA) Limited**, 5 Hanover Quay, Grand Canal Dock, Dublin, D02 VY70, Ireland) which is our e-signature tool used for signing agreements digitally;
- **Zendesk (Zendesk Inc.**, 1019 Market Street, San Francisco, CA 94103, USA) which helps us process your support requests;
- **Grammarly (Grammarly Inc.**, 548 Market Street, 35410 San Francisco, CA 94104, USA), which helps our customer support with writing feedback suggestions and/or corrections of email drafts;
- **Mixpanel (Mixpanel International Inc.**, One Front Street, 28th floor, San Francisco, CA 94111, USA) which helps us better understand your interactions and use of the Adverity Application Services;
- **Condens (Condens Insights GmbH**, Sonnenstraße 23, 80331 München, Germany) which enables us to store, manage, analyze, collaborate on and present the outcome of research studies made with you;
- **Jira (Atlassian Pty Inc.)**, Level 6, 341 George Street Sydney NSW 2000 Australia) which is used as a ticketing tool for your support requests;
- **Precisely (Precisely AB**, Kämpegatan 10, 411 04 Göteborg, Sweden) which is our contract management tool used for drafting agreements;
- **Refiner (Refiner SAS**, 10 rue de Penthièvre, 75008 Paris, France) in order to organize in-platform polls and surveys to better understand your needs and to schedule research studies;
- **Gainsight (Gainsight Inc.**, 350 Bay Street, Suite 100, San Francisco, CA 94133, USA) in order to improve how we manage your account and service you and to understand your needs in order to offer you additional services;

- our customer relationship management (CRM) tool **Hubspot (Hubspot Germany GmbH** Postbahnhof 17 10243 Berlin, Germany) to enable us to send you our newsletter and to understand your needs in order to offer you additional services;
- **Docebo (Docebo DACH GmbH**, Am Zirkus 2, 10117 Berlin, Germany), which is used as a learning management system for customer learning;
- **Tremendous (Tremendous, Inc.**, 228 Park Ave S #62949; New York, New York, 10003, USA) for delivery of gift vouchers for customers who voluntarily participated in the annual customer survey and delivery of gift vouchers for customers who participated in Research Studies & Adverity Lab;
- where disclosure is required (i) by law or regulation or (ii) to establish, exercise or defend legal claims, we may also disclose Personal Data to a competent authority, such as supervisory, regulatory or criminal authorities, courts of law or other third parties who advise us in this context (e.g. lawyers or forensics experts);
- **Google Cloud EMEA Limited** (Google Cloud EMEA Limited, Velasco Clanwilliam Place, Dublin 2, Ireland) in order to process your requests for the creation of new connectors to the Application Services.

Some of these recipients may be located in countries outside the EU/EEA for which an adequate level of data protection has not yet been established by the EU Commission. It should be noted that the level of data protection in such countries may not be the same as within the EU/EEA. Also, subject to local laws and regulations data may be accessible to local authorities or courts.

However, where Personal Data is transferred to such third countries, we implement appropriate safeguards to ensure that your rights are protected in accordance with the GDPR. This includes the conclusion of the EU Commission's standard contractual clauses for the transfer of Personal Data (Art 46 (2) c GDPR) as well as appropriate supplementary measures. Further details on the implemented safeguards as well as copies of the respective agreements are available at dpo@adverity.com.

The following applies whether Adverity is acting as a Data Processor (Section A) or if Adverity is acting as a Data Controller (Section B).

YOUR RIGHTS

In accordance with Applicable Law (in particular Art 15 et seq. GDPR), you have the right to access your Personal Data, to request deletion or correction of your Personal Data, to

object to the processing of your Personal Data, to request restriction of processing of your Personal Data as well as the right to data portability.

To exercise these rights send an email to dpo@adverity.com or a letter to Adverity GmbH, Rathausstrasse 1/2nd Floor, 1010 Vienna, Austria or contact directly the Data Controller if Adverity does not act as a Data Controller. If you feel that your rights have been violated, you may also file a complaint with the competent data protection authority (in Austria: Austrian Data Protection Authority - Datenschutzbehörde).

We do not process your Personal Data for the purpose of taking decisions based solely on automated processing, including profiling, which produces legal effects concerning you (Art 22 GDPR).

UPDATES TO THIS NOTICE

We may update this Notice to reflect legal, technical or business changes. When we update this Notice, we will take reasonable steps to inform you about the changes made. You will find the date of the "last update" at the end of this Notice.

CONTACT DETAILS

Should you have any requests or questions in relation to the processing of your Personal Data by us, kindly address them to our Data Protection Officer Mr. Mag. Michael Pilz by calling +43 (0)1 406 05 51 or sending an e-mail to dpo@adverity.com.

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