

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**; and,
- (2) if Customer is located in the United States, **Adverity Inc.**.

For the respective contact details of these two Adverity affiliated companies please see here: <https://www.adverity.com/about>.

"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:

a) 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;
- 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).

b) 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.
- 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).

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);
- Your first and last name, company name, audiovisual recordings and additional information you chose to share to us during the Adverity Office Hours sessions you signed up for (Art. 6 (1) a GDPR - consent and 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 (as listed here: <https://www.adverity.com/about>) 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;

- **Sprig (Sprig Technologies Inc.,** 140 2nd Street 4th floor San Francisco, CA 94105, USA;) for sharing your feedback about the Adverity Application Services as well as feedback on new feature concepts, if you decide to participate;
- In case you are paying for the use of Adverity Application Services by credit card, we will use the following payment provider to process your payment:
For Adverity GmbH Customers:**Stripe Payments Europe, Ltd.,** Stripe Technology Europe, The One Building, 1, Lower Grand Canal Street, Dublin 2, Ireland.
For Adverity Inc. Customers: **Stripe, Inc.,** a Delaware corporation, (185 Berry Street, Suite 550 San Francisco, CA 94107, USA);
- **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;
- **Zoom** (Zoom Video Communications Inc., 55 Almaden Blvd, 6th Floor San Jose, CA) in order to schedule calls and meetings with you in order to assist you in your use of the Application Services or for research studies or Adverity Office Hours sessions you signed up for;
- **Link Mobility** (Link Mobility Austria GmbH, Brauquartier 5/13, 8055 Graz, Austria), we communicate your phone number to this Supplier, in order to share your credentials with you;
- 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).

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.

4. COOKIES IN THE ADVERITY APPLICATION SERVICES

1. The Adverity Application Services uses cookies. These are small text files that may be placed on your device while using our SaaS, which store certain information about you. Cookies cannot access, read or modify other data stored on your device. When we refer to "Cookies" we include other technologies with similar purposes, such as pixel tags.
2. We use the following types of cookies in our Adverity Application Services:
 - (i) **Necessary cookies:** Without necessary cookies the proper functioning of our Adverity Application Services would not be possible or only to a limited extent. The use of necessary cookies in the Adverity Application Services is possible without your consent.

Legal basis: Art 6 (1) f GDPR (legitimate interest)

Necessary cookies help make our Adverity Application Services usable by enabling basic functions like page navigation and access to secure areas. The website cannot function properly without these cookies.

Name	Provider	Purpose	Expiry	Type
sessionid	Adverity	Determine the login state	1 day	HTTP Cookie
csrftoken	Adverity	Cross-Site Request Forgery prevention	1 year	HTTP Cookie
auth-info	Adverity	First Login redirect	15 minutes	HTTP Cookie
SIDEBAR_STATE	Adverity	Determine the sidebar state	Session (sessionid)	HTTP Cookie

CURRENTWORK SPACE	Adverity	Determine the current workspace	Session (sessionid)	HTTP Cookie
mp_2c64132fcd05b24a902559b13e8dc8f1_mixpanel	Mixpanel	Display appropriate help articles in help section	1 year	HTTP Cookie

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 (as per their respective contact details available here: <https://www.adverity.com/about>) 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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