



## 1. Privacy Policy for the Partner

- 1.1. Spryker shall be obligated to comply with the principles of proper data processing and monitor compliance with them. The Partner's employees and vicarious agents ("**Data Subjects**" for the purposes of data processing) shall have the right
  - a. to obtain access to and information on the personal data stored at Spryker;
  - b. to demand rectification of inaccurate data or completion of accurate data;
  - c. to demand erasure of the stored data if there are no statutory or contractual retention periods or other statutory obligations or rights to keep it stored;
  - d. to demand restriction of processing of the data; and
  - e. to demand data portability.
- 1.2. Data Subjects shall also have the right to lodge a complaint with a Supervisory Authority and the **right to object, on grounds relating to their particular situation, at any time to processing of personal data concerning them which is based on Article 6 (1) point (e) or (f) GDPR**, including profiling based on those provisions.
- 1.3. Spryker shall collect, process and use the data of the Data Subjects required to conclude, perform or end a contract with the Partner as part of its business activities. In general, this data are the contact details of the Data Subjects (such as first name and surname of the contact person, address, e-mail address, fax number and payment data). The legal basis for the processing in this aspect is Article 6 (1) point (b) GDPR. The data collected to perform contracts shall be stored until the warranty and guarantee rights under the law and, possibly, under a contract expire. When this period ends, Spryker shall retain the information on the contractual relationship required by commercial and fiscal law for the statutory periods of time. The data shall be processed again in this period of time (usually ten (10) years as of conclusion of a contract) solely in the event of an audit or examination by the fiscal authorities.
- 1.4. Spryker shall process personal data of Data Subjects for marketing purposes, e.g. sending newsletters or invitations to fairs or Spryker events. The GDPR states that such data processing is possible in principle on the basis of Article 6 (1) point (f) and is a legitimate interest. The length of time for which data is stored for marketing purposes is not based on rigid principles and depends on whether storage of it is required for sending advertising messages. Pursuant to the existing contractual relationship, Spryker processes postal contact details of the Data Subjects so as to provide the Partner with information on new products and services related to the Spryker Software and ACP as well as about events, new partners and customers by this means without any specific consent to that. Data Subjects can lodge an objection to data processing for the above purpose at any time, free of charge and with future effect. An e-mail to [widerruf@spryker.com](mailto:widerruf@spryker.com) or a letter by regular mail addressed to Spryker Systems GmbH, Legal Department, Heidestraße 9-10, 10577 Berlin, Germany shall be sufficient for that.
- 1.5. Spryker processes the e-mail address of Data Subjects in order to provide them with information on its own, similar services related to ACP and SCCOS or through the newsletter, without any specific consent to that. Data Subjects can revoke such use of their e-mail address at any time with future effect by sending an e-mail to [widerruf@spryker.com](mailto:widerruf@spryker.com) or using the "Unsubscribe" link in every newsletter e-mail. They will incur no costs other than the basic costs of transmission for that. If Data Subjects lodge an objection, the contact address in question will be erased or blocked for any further processing of data for marketing purposes.
- 1.6. If personal data is collected, processed or used by Spryker on behalf of Spryker's Customers, Spryker act as data processor in accordance with Article 28 GDPR towards its Customers and will forward its obligations to the respective Partner as Subprocessor in case Spryker resells software of the Partner. In this case, the precise subject matter of data processing on behalf of



Spryker's Customer and the respective rights and obligations of the Parties shall be as specified in a separate Data Processing Addendum.

- 1.7. Spryker discloses the personal data of Data Subjects within Spryker exclusively to the departments and persons who need this data to fulfil contractual and legal obligations or to implement our legitimate interest. Spryker may transfer the personal data concerned to Spryker's Affiliated Companies, insofar as this is permissible within the scope of the purposes of the data processing and legal bases. The personal data of Data Subjects are transferred on Spryker's behalf on the basis of data processing agreements in accordance with Data Protection Laws to third parties. Categories of recipients can be suppliers, such as hosting providers, communication tool providers, customer relationship system providers, contract lifecycle management providers, data protection management software providers, sales cloud providers as well as external consultants and, if legally support, authorities.