

# Privacy Policy

## What is the purpose of this Privacy Notice?

BROADPEAK (hereinafter “BROADPEAK”, “we”, “us” and “our”) attaches great importance to your privacy.

The purpose of this Privacy Policy (hereinafter the “Policy”) is to inform you in more detail about the processing of personal data (hereinafter the “Data”) by Broadpeak S.A. in connection with the browsing, registration with and the usage of Broadpeak.io platform, as well as operation and performance of the services for which Broadpeak is acting as Sub processor.

This Policy also informs you of your rights regarding your Data as well as Member’s end user Data processed through performance of the Services.

## The identity and contact details of the Controllers

Name: Broadpeak, S.A.

A company duly organized and existing under the laws of France and having its registered offices at 3771 Boulevard des Alliés, 35510 Cesson-Sévigné, France.

Registered at the Rennes Trade Register under the number 524 473 063

Mail : [privacy@broadpeak.tv](mailto:privacy@broadpeak.tv)

# What Personal Data do we process, for what purposes and how?

## Personal data

When you will sign with the Broadpeak.io service, we will ask and collect

a) For the Member staff identification and contact data, in particular:

- Last name
- First name
- Company
- Professional Email address

b) For the Member's end user of Member services relying or otherwise making use of Broadpeak.io Services, where required to provide the subscribed Services, as described in the related [documentation](#), the Member end user customer identification (IP address, Usage content Data, Technical identification Data (URL video Source; Service URL, ad server name & related URL, date time & play), Consent collection data)

In this case, Broadpeak is acting as a Data Processors of the Member processing Personal Data of Member's end users, on behalf of the Member to which Broadpeak provide such Services under any purchase order or other contract between the Parties

## The source of the personal data

Direct from sign up on Broadpeak.io platform.

Indirect from Ingest of you end user's Personal Data on the Broadpeak.io platform as part of performance of the Services.

# How do we use your data – Purpose of Processing

BROADPEAK uses your Data to:

1. to manage access and browsing of the Website;
2. to manage the registration of the Data Subject on the website and create a tenant as a Member, if not already existing, in the Broadpeak.io Platform;
3. to manage the registration of the Data Subject on the Newsletter, and to send to the Data Subject newsletters;
4. to manage the registration of the Data Subject create a user, being part of a tenant account as Member, to administrate and use the Broadpeak.io tenant's projects;
5. to manage the purchase by a tenant account of Broadpeak Services from the Platform;
6. to communicate and send all related information regarding the Services and purchased Services and related status of usage and related invoice;
7. to communicate with Data Subject regarding performance of the Services;
8. to make and maintain contact with the Data Subject in relation to such subject matters and similar activities;
9. to manage invoicing, taxation and accounting in connection to the purchased Services and Content, where applicable,
10. to process certain of Your's end user Personal Data in order and perform the Services as part of the contract between the Parties;
11. to support marketing and promotion activities (subject to consent) on forum, newsgroup, social media such as Facebook (fan page), Twitter, LinkedIn, Instagram, as well as Broadpeak Website, YouTube, and other platforms, Broadpeak internal channels or in events organized by Broadpeak and external news publications (the publishing

includes all forms of publication online and offline),  
12. for research purposes and product development.

Below are the legal bases for the purposes of processing.

## **LEGAL BASIS**

- Art. 6 (1) (a) of the GDPR Consent for certain data provided directly by the Data Subject For Purpose 11;
- Art. 6 (1) (f) of the GDPR – the legitimate interests pursued by Broadpeak. The processing of Personal Data is essential for our business operations and in our mutual interests to operate the Platform and provide or make available the Services For Purposes 1, 2, 3, 5, 6, 7, 8 ,9, 10, 12
- Art 6 (1) (b) of the GDPR – processing is necessary for the performance of a contract to which the Data Subject is a party of, or in order to take steps at Your request as the Data Subject prior to entering into a contract. Failure to provide Your required Personal Data will prevent you from registering as Member, and have access to and use of the Services and Content For Purposes 2, 3, 4
- Art. 6. (1) (c) of the GDPR – Processing is necessary for compliance with a legal obligation to which Broadpeak is subject For purpose: (eg the duty to keep the records to demonstrate the compliance with Terms and Conditions of Services, Cookies, proceed with invoicing)

## **Do we disclose your data?**

We will need to disclose some of your Personal Data to our internal teams for billing and support purposes and any concerned Member's end user for performance of the Services.

We host the Platform and the Data on Amazon Web Services. In

compliance with EU GDPR-legislation, the Amazon Web Services Data Processing Addendum has been signed.

We also use some third parties which details are available on this [page](#).

Such third parties include partners such as AWS for hosting of the platform and the Data, Salesforce for support ticketing and resolution, Pardot for CRM, Datadog for monitoring of the Services, Chargebee (<https://www.chargebee.com/company/>) for subscription and invoicing management, LinkedIn ([LinkedIn Insight Tag](#)), Auth0 and [Intercom](#), to manage your account in the different steps of relationship with Broadpeak.io and to perform the Services. They process such Personal Data strictly according to our instructions and with the purposes intended, and in particular for the sole purpose of managing the account and performing the Services you have subscribed.

## **Do we transfer your Data outside the European Union?**

- Where required to perform the Services, International transfer of Personal Data to our Affiliates is covered by Standard Contractual Clauses approved by the European Commission, as provided in Article 46 of the GDPR.
- The International transfer of Personal Data to suppliers and/or Contractors outside of the EU, if any, will be made either to partner located in country being subject to adequacy decision under article 45(1) of the GDPR or by Standard Contractual Clauses approved by the European Commission, as provided in Article 46 of the GDPR.
- The international transfer of your sensitive data is covered by the consent you have given prior to the processing of the Data but none are expected nor required.
- If you and any concerned Data Subject want to have

access to additional information Clauses, please contact us via the contact form available at the following address : [privacy@broadpeak.tv](mailto:privacy@broadpeak.tv)

## How long do we retain your Data?

We retain Data for as long as necessary to fulfill the purposes described in this Policy.

In particular, your Data is retained as long as your account is not deleted or your overall Tenant is active and for a period of 5 years thereafter.

With respect to performance of the Services, including support and monitoring, Customer'end users Data such included in the Logs are retained as necessary to provide such Services.

<b>Purposes of Processing</b>	<b>Conservation Period</b>
Management of the tenant	Five (5) years from the end date of the relationship (eg. cancellation of the account)
Processing of Logs for performance of the Services and related support activities	15 days 60 days if required for support 12 months from end of investigation/support
Management of pre-litigation and litigation	Five (5) years from the end date of the relationship (eg. cancellation of the account)
Management of requests for access, rectification, deletion, opposition, limitation of processing or the right to portability	For (5) years in intermediate storage from the date of response to your request.

# Your rights as a Data Subject

In accordance with applicable law, you and any concerned Data Subject have the following rights with respect to the use of your personal data. These rights may be subject to certain conditions, limitations and legal exceptions.

If you or any concerned Data Subject wish to obtain more details on how to exercise your rights or for any question relating to your personal data, and any procedure relating to the exercise of such rights, please fill in the form accessible at the following address: [privacy@broadpeak.tv](mailto:privacy@broadpeak.tv) or to the following postal address:

- Broadpeak, S.A.
- 3771 Boulevard des Alliés
- 35510 Cesson-Sévigné, France

In accordance with the law, requests for the exercise of rights must provide sufficient information for BROADPEAK to verify the identity of the individuals (to ensure that those making the requests are the individuals themselves or those authorized by them).

BROADPEAK will verify upon receipt of the request that the request is in compliance with applicable regulations. In addition, if you believe that the Data is not being processed in accordance with this Policy or the applicable personal data protection regulations, you may file a complaint with the Commission Nationale Informatique et Libertés (CNIL):

- 3 Place de Fontenoy – TSA 80715 – 75334 PARIS CEDEX 07  
or [www.cnil.fr](http://www.cnil.fr)

## **Right of Access**

You and any concerned Data Subject have the right to obtain from BROADPEAK confirmation as to whether or not Personal Data concerning you is being processed and, where that is the case, access to a copy of the Personal Data and specific information about how BROADPEAK processes the Personal Data.

## **Right of Rectification (Correction)**

You and any concerned Data Subject have the right to obtain from BROADPEAK the correction of inaccurate Personal Data concerning you and also the right to have incomplete Personal Data completed.

## **Right of Erasure (Deletion)**

You and any concerned Data Subject have the right, in certain cases, to obtain the deletion of your Data. This right applies in particular when your personal data are no longer necessary for the purposes for which they were collected.

## **Right to Restriction**

You and any concerned Data Subject have the right to obtain from BROADPEAK restriction of processing in particular circumstances.

## **Right of Objection**

You and any concerned Data Subject have the right to object to the processing of your Personal Data in particular circumstances.

## **Right of Portability**

In certain circumstances, you and any concerned Data Subject, have the right to receive your Personal Data in a structured, commonly used and machine-readable format and have the right

to transmit those data to another controller.

## **Right to Withdraw Consent**

Where the legal basis of processing Personal Data is based on consent, you and any concerned Data Subject have the right to withdraw your consent at any time.

## **Right to define directives concerning the fate of your personal data post-mortem**

You and any concerned Data Subject have the right to set guidelines for the retention, deletion and disclosure of your Data after your death.

## **Bloctel**

You and any concerned Data Subject also have the possibility of registering on the "BLOCTEL" list of opposition to telephone solicitation on the website [www.bloctel.gouv.fr](http://www.bloctel.gouv.fr) or any similar mechanism.

## **How do we update this policy?**

In the event that this Policy changes, BROADPEAK will take appropriate steps to ensure that you are aware of the latest version of this Policy, such as by posting a notice of change or by any other appropriate means.

## **Definitions**

- **Controller:** An organization which (alone or jointly with others) determines the purposes and means of the processing of Personal Data.
- **Data Transfer Agreement:** An agreement containing standard data protection clauses adopted by the European Union Commission as referred to in Article 46(2)(c) of

the GDPR.

- **Data Subject:** The identified or identifiable natural person to whom the Personal Data relates.
- **GDPR:** The European Union General Data Protection Regulation (2016/679).
- **Legal Basis:** Processing of Personal Data is only lawful if and to the extent that at least one legal basis specified in the GDPR applies. The available legal bases which are applicable in the employment context are summarized as
  - consent of the Data Subject (e.g., pictures, image),
  - processing is necessary to enter into or perform a contract
  - processing is necessary for compliance with a legal obligation to which the Controller is subject,
  - processing is necessary in order to protect the vital interests of the Data Subject or another natural person,
  - processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the Data Subject which require protection of Personal Data (**Legitimate Interests**)
- **Personal Data /Data:** Any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- **Process/Processing:** Any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination, or otherwise making available, alignment or combination, restriction, erasure, or destruction.
- **Special Categories of Personal Data:** Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation