

Privacy Policy

What is the purpose of this Privacy Notice?

BROADPEAK Technologies France (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 and usage of Broadpeak.io platform. This Policy also informs you of your rights regarding your Data.

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 15 rue Claude Chappe, Zone des Champs Blancs, 35510 Cesson-Sévigné, France.

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

Mail : 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 your identification and contact data, in particular:

- Last name
- First name
- Company
- Professional Email address
- Where required to provide the Services, as described in the related [documentation](#), the Member end user customer IP address

The source of the personal data

Direct from sign up on Broadpeak.io platform.

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 and perform the Services,
 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 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.

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 use some third parties such as Salesforce, Pardot, Datadog, Chargebee, Auth0 and Churn Zero, to manage your account in the different steps of relationship with Broadpeak.io. They process your Personal Data strictly according to our instructions and with the purposes intended.

Do we transfer your Data outside the European Union?

- This international transfer of your 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 your Personal Data to suppliers and/or Contractors outside of the EU 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. This

includes in particular Chargebee (<https://www.chargebee.com/company/>) for subscription and invoicing management. Its privacy terms are also available at: <https://www.chargebee.com/privacy/dpa/>.

- The international transfer of your sensitive data is covered by the consent you have given prior to the processing of your Data.
- If you want to have access to these Standard Contractual Clauses, please contact us via the contact form available at the following address : privacy@broadpeak.tv

How long do we retain your Data?

We retain your 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.

Purposes of Processing	Conservation Period
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 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 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 your rights, please fill in the form accessible at the following address: privacy@broadpeak.tv or to the following postal address:

- Broadpeak, S.A.
- 15 rue Claude Chappe, Zone des Champs Blancs,
- 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 your 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

Right of Access

You 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 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 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 have the right to obtain from BROADPEAK restriction of processing in particular circumstances.

Right of Objection

You have the right to object to the processing of your Personal Data in particular circumstances.

Right of Portability

In certain circumstances, you 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 have the right to withdraw your consent at any time.

Right to define directives concerning the

fate of your personal data post-mortem

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

Bloctel

You also have the possibility of registering on the “BLOCTEL” list of opposition to telephone solicitation on the website www.bloctel.gouv.fr.

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**)
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- **Personal 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