

# External Privacy Statement

## Taylor Wessing N.V.

### 1. Introduction

- 1.1. This External Privacy Statement (“**Statement**”) is used by Taylor Wessing N.V. (“**TW**”), having its registered office in Eindhoven, and having its business offices in (5611 ZT) Eindhoven at the Kennedyplein 201 and in (1082 LZ) Amsterdam at Parnassusweg 807, recorded in the registry of the Dutch Chamber of Commerce under registration number 17282726. TW can be contacted via [nl.privacy@taylorwessing.com](mailto:nl.privacy@taylorwessing.com).
- 1.2. The purpose of this Statement is to explain why and how data that identifies or may be used to identify natural persons with (“**Personal Data**”) is processed by TW. Unless stated otherwise below, TW is the ‘data controller’ as defined in the General Data Protection Regulation (“**GDPR**”) for the processing of Personal Data as set out in this Statement.

### 2. Personal Data

- 2.1. TW may process Personal Data that relates to you in the following situations:
  - 2.1.1. You are a client of TW;
  - 2.1.2. You are a supplier of products or services to TW;
  - 2.1.3. You work for a client or supplier of TW, based on an employment contractor otherwise;
  - 2.1.4. You apply for a job at TW;
  - 2.1.5. You are somebody or you work for an entity that TW would like to offer its services to.
- 2.2. The Personal Data that may be processed by TW is:
  - 2.2.1. Your first and last name;
  - 2.2.2. Your (business) contact details;
  - 2.2.3. Your (business) address details;
  - 2.2.4. Data relating to the business or legal entity that you work for;
  - 2.2.5. Your (business) email address;
  - 2.2.6. The Personal Data that are provided to TW by judicial bodies in the course of performing our services;

- 2.2.7. The Personal Data that are obtained by TW through databases as maintained by governmental bodies if so required on the basis of the service provided by TW;
  - 2.2.8. A copy of your identification papers if required to comply with a legal obligation to which TW is subject;
  - 2.2.9. Your national identification number (where you are a citizen of the Netherlands: your *Burgerservicenummer*) if required to comply with a legal obligation to which TW is subject;
  - 2.2.10. A copy of your residence permit, if required to comply with a legal obligation to which TW is subject;
  - 2.2.11. Any other Personal Data, depending on the nature of the relation you have with TW.
- 2.3. In addition to this Personal Data, it is possible that you provide us with other Personal Data in the course of your contact with TW. This may concern the following Personal Data:
- 2.3.1. The Personal Data that you provide to TW in the course of the services TW performs for you, such as but not limited to the Personal Data that are necessary to perform the legal and notarial services for you as requested;
  - 2.3.2. The Personal Data that TW obtains through your use of the website when you send TW products or provide services to TW, contact TW or in any other way communicate with TW, whether or not on behalf of a business or legal entity.
- 2.4. The provision of the requested Personal Data under 2.2 is, in principle, mandatory and a necessary requirement to enter into an agreement with TW. Where such Personal Data is not provided, TW may not be able to comply with obligations that TW is subject to or perform the agreement that has been or will be entered into. The provision of the Personal Data as described under 2.3 is, in principle, not mandatory and is not a necessary requirement to enter into an agreement with TW. Where the Personal Data is not provided, TW may not be able to perform the services and obligations as intended.

### **3. Sources**

- 3.1. In principle, TW obtains the Personal Data through you. This is not the case in the following situations:
- 3.1.1. Where TW receives Personal Data from judicial bodies to allow TW to perform services relating to liquidations and bankruptcies;
  - 3.1.2. Where TW obtains Personal Data through registers that are maintained by governmental bodies relating to the performance of legal or notarial services, such as but not limited to requesting Personal Data from the 'Basisregistratie Personen' as stated in the Persons Database Act;
  - 3.1.3. Where TW has engaged an employment agency, headhunter or similar service to recruit new employees.

## 4. Legal grounds for processing

4.1. TW collects Personal Data based on the following legal grounds for processing:

- 4.1.1. The processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract;
- 4.1.2. The processing is necessary for compliance with a legal obligation to which TW is subject;
- 4.1.3. The processing is necessary for the purposes of legitimate interests pursued by TW, i.e. the interest to perform its business activities, such as but not limited to the performance of the contract as entered into with your business, your employer or principal, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child;
- 4.1.4. Where necessary, TW will request your additional consent for the processing of your Personal Data.

## 5. Purposes

5.1. TW is processing the Personal Data mentioned for the following purposes:

- 5.1.1. To allow TW to enter into an agreement with you or the business that you represent or that you work for and to perform this agreement, such as but not limited to the agreement for the performance of legal or notarial services, the agreement for the supply of products and services to TW or to register and manage our clients, suppliers and other customers;
- 5.1.2. To allow TW to comply with legal obligations to which TW is subject;
- 5.1.3. To allow TW to recruit new employees, assess them and hire them;
- 5.1.4. To allow TW to perform direct marketing activities, such as but not limited to informing you about our services, events and possibilities and to verify the effectiveness of such activities.

## 6. Retention times

6.1. TW stores the Personal Data no longer than necessary for the purposes as described in this Statement, unless TW is required by law to store the Personal Data for a longer period of time. Specific retention times are:

### 6.1.1. **General accounts receivable / payable**

The Personal Data in connection to the general accounts receivable and payable, such as but not limited to transactions with clients and suppliers, will be stored for the term of the agreement that forms the basis of the claim and up to seven years after the case has been closed or the agreement has ended, unless TW is required by law to store the Personal Data for a longer period of time.

### 6.1.2. **Matter data**

The Personal Data that is present in our legal or notarial dossiers and concern a matter that is being handled by TW or has been handled by TW, will be stored for the term of the agreement that forms the basis of the handling of the matter by TW and until 20 years after the matter has been closed, unless TW is required by law to store the Personal Data for a longer period of time.

### 6.1.3. **Client data**

The Personal Data concerning the clients of TW that is not covered by a specific retention period will be stored up to five years after the last case for the client has been closed, unless TW is required by law to store the Personal Data for a longer period of time, such as but not limited to the Money Laundering and Terrorist Financing (Prevention) Act.

### 6.1.4. **Prospects**

The Personal Data concerning prospects of TW will be stored for two years after the last contact with the prospect, unless TW is required by law to store the Personal Data for a longer period of time.

### 6.1.5. **Recruitment**

The Personal Data concerning job applicants or candidates will be stored for a period of 180 days following the application. 30 days before the end of each storage period, the job applicant or candidate is given the opportunity to consent to a renewal of the storage period. Each renewal will last another 180 days, unless Taylor Wessing is required by law to store the Personal Data for a longer period of time. If in the course of the procedure the job applicant or candidate is hired by Taylor Wessing, the processing and storage of such Personal Data will be covered by the TW Internal Privacy Statement, which is available for all employees of Taylor Wessing. If in the course of the procedure the job applicant or candidate is not hired, Taylor Wessing will no longer store the Personal Data after the end of the initial storage period, unless such job applicant or candidate gives its renewed consent to store its Personal Data for a longer period with the purpose of approaching the job applicant or candidate for other suitable jobs.

At all times, job candidates and applicants have the possibility to make a request for alteration or deletion of their Personal Data in the recruitment database, which request will be processed within 5 working days.

## **7. Recipients and transfer**

7.1. TW transfers Personal Data to third parties, referred to as 'recipients', if this transfer is required for the performance of the purposes as contained in this Statement. The (categories of) recipients are:

- 7.1.1. Our business relations, customers and suppliers, such as but not limited to the external time tracking administrator (for the notarial services as well as for the legal services), the party that provides hosting for our data, the external IT-supplier, the supplier of office supplies and the party that assists TW in her direct marketing activities;
- 7.1.2. The shareholders of TW, the international Taylor Wessing entities and partner offices;
- 7.1.3. Any experts engaged by us, necessary for the performance of the agreement with you, such as but not limited to bailiffs and messengers;
- 7.1.4. The judicial and governmental bodies, including arbitrators, that are necessary in the performance of the agreement concerning our legal or notarial services;
- 7.1.5. Our bookkeeper, accountant, legal advisors and other professional service providers to assist the business of TW;
- 7.1.6. Analytics services to assess the effectiveness of our websites;
- 7.1.7. All recipients that you explicitly or implicitly agree with in the performance of the services of TW for you or the business you work for.

## **8. Possible recipients and transfer**

- 8.1. In addition to the recipients as referred to in article 7, it is possible that TW discloses Personal Data in the below mentioned situations, in which case this will be disclosed by TW:
- 8.1.1. TW is the subject of a merger or acquisition, in which case it is possible that Personal Data is transferred to a prospective buyer or seller and the Personal Data is disclosed under this Statement;
  - 8.1.2. Where TW will substantially or fully be the subject of an acquisition, in which case the Personal Data will be transferred as an asset;
  - 8.1.3. Where TW is legally obliged to provide Personal Data or to perform the Statement, the general terms and conditions or the agreement with you, to protect the rights, property and freedoms of TW or her clients or other third parties, TW will transfer Personal Data as well.

## **9. International transfer**

- 9.1. TW in principle does not transfer Personal Data outside of the European Union or international organisations, unless one of the following situations applies:
- 9.2. TW transfers Personal Data to other businesses, including the shareholders of these other businesses, that belong to the group of which TW forms a part. It may be that these businesses are located outside of the European Union, which is why these entities have entered into an agreement incorporating the 'Standard Contractual Clauses' as issued by the European Commission, to ensure that adequate safeguards apply for the protection of Personal Data in these situations. A copy of this document is available at TW.
- 9.3. Should TW transfer Personal Data outside of the European Union in any other way or to international organisations, TW will determine whether an adequacy decision as stated in the relevant legislation applies and, where such is not the case, transfer will only be conducted if adequate safeguards apply. In this case a copy of the documents concerned will be available at TW.

## 10. Security

10.1. TW highly values the protection of Personal Data and has implemented adequate measures and safeguards. These measures comply with the requirements of the GDPR, and consist of, amongst others:

10.1.1. Securing the physical location of the Personal Data;

10.1.2. Ensuring confidentiality of the Personal Data;

10.1.3. Controlling access to Personal Data.

## 11. Rights

11.1. The GDPR provides data subjects, depending on the situation, with the following rights:

11.1.1. The right to access to Personal Data;

11.1.2. The right to rectification of Personal Data;

11.1.3. The right to request from TW the erasure of Personal Data;

11.1.4. The right to request TW whether the processing of the Personal Data may be restricted;

11.1.5. The right to object to processing;

11.1.6. The right to data portability;

11.1.7. Where the processing is based on consent: the right to withdraw such consent at any time, without such withdrawal having effect on the legitimacy of the processing prior to withdrawal;

11.1.8. The right to lodge a complaint at a supervisory authority.

11.2. When performing these rights, TW may request specific additional information. Such additional information will only be processed for the purpose of performing the rights mentioned.

## 12. Cookies

12.1. When you visit the website of TW, cookies are placed by Taylor Wessing LLP, 5 New Street Square, London London EC4A 3TW (England). An overview of these cookies is available in the Privacy & Cookie Policy via the website (<https://netherlands.taylorwessing.com/en/privacy-cookie-policy>).

### **13. Questions**

13.1. Should you have any questions regarding this Statement or the processing of Personal Data by TW or should you want to exercise your data protection rights, please contact TW via the details provided in article 1.1 of this Statement.

Eindhoven, 2 June 2018