

GDPR and privacy is important to Leaseweb Deutschland GmbH (hereinafter "Leaseweb DE") and its business relations. This Privacy Statement informs you of Leaseweb DE's practices as an IaaS cloud provider for unmanaged services (unless explicitly provided otherwise) with respect to the possible processing of personal data while doing business with you ("Personal Data").

COMPLIANCE WITH INTERNATIONAL DATA PROTECTION LAWS, IN PARTICULAR THE EU GENERAL DATA PROTECTION REGULATION

Leaseweb DE complies with EU Data Protection Regulation 2016/679/EU ("GDPR"). Leaseweb DE has implemented the following requirements under the GDPR, including but not limited to:

- A record of our Personal Data processing activities.
- Adequate organizational and technical protection measures.
- Request forms and internal instructions for Privacy by Design & Default, Data Subject Rights like the Right to be Forgotten.
- A Data Processing Agreement in our role as Data Controller and Data Processor.
- A Personal Data Breach procedure.
- An internal Leaseweb Privacy Policy.

WHEN LEASEWEB DE MAY PROCESS PERSONAL DATA ABOUT YOU IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may process your Personal Data, as received directly from you, when:

- You order a service from Leaseweb DE.
- You enter a promotion run with Leaseweb DE.
- You participate in a Leaseweb DE survey.
- You subscribe to a Leaseweb DE newsletter.
- You ask Leaseweb DE for more information about a Leaseweb service, or contact Leaseweb DE with a question, comment or complaint.
- You submit an abuse notification to Leaseweb DE.
- You use the Leaseweb DE network, Leaseweb DE infrastructure and/or other Leaseweb DE services.

In addition, Leaseweb DE may process your Personal Data as received from fraud-prevention agencies, referral partners, business directories and credit reference agencies.

WHAT PERSONAL DATA LEASEWEB DE MAY PROCESS ABOUT YOU IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may process the following information about your business:

- Your business contact persons names, address, phone number, email address, business and ID registrations that may include a photo and personal identification numbers such as contact details of legally authorized representatives.
- Your Leaseweb DE account information – such as Leaseweb DE services you ordered, domain name registration information, the IP addresses assigned to you, your customer ID, fees owed and received, the use of Leaseweb DE services or any other information related to your account.
- Your contact with Leaseweb DE – such as notes or recordings of any calls you make to Leaseweb DE, chat records when you engage in a chat session with Leaseweb DE, any emails or letters you send to Leaseweb DE or other records of any contact you have with Leaseweb DE.
- Information about your payment method, such as credit card number, bank account number or other banking information.
- Information provided by you to Leaseweb DE when you notify Leaseweb DE of a (suspected) breach of Leaseweb DE's acceptable use policies.
- Video footage of you when you are in a data center or the public space outside and inside our offices.
- Photo of you when you access a data center by using a personalized ID badge.
- Your biometric data including fingerprint when you access a data center.
- Documents and information that certify your identity.

WHY LEASEWEB DE PROCESSES YOUR PERSONAL DATA IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may process your Personal Data to:

- Process your Orders, Sales Contracts and provide services, which may include performing customer verification.
- Process of vendors contact details for the procurement of services, and communicating with vendors to provide information about services of Leaseweb DE and affiliated entities.
- Conduct market research, retention and customer satisfaction surveys, conduct (direct) marketing activities (including through email newsletters, social media and onsite/offsite and online/offline advertisement), sales activities (including (tailormade) offers and quotations and offering promotions).
- Communicate with customers, including to: (i) provide information about services of Leaseweb DE and affiliated entities, (ii) provide information about offers, Orders and Sales Contracts, provision of services, contract status and payment, (iii) provide support and maintenance services, (iv) handle complaints, and (v) answer questions from (potential) customers.
- Perform financial processes, including to (i) calculate, invoice and collect service fees, (ii) process financial transactions regarding the acceptance of Orders, and (iii) grant debt collection rights to third parties.
- Investigate creditworthiness and perform risk management, including to prevent overextending credit to (potential) customers and verify whether (potential) customers will be able to comply with financial obligations.
- Investigate and process suspected violations of Leaseweb DE's Policies.
- Ensure the security of persons, goods and objects, and perform fraud detection.
- Conduct legal processes and comply with legal requirements, including in relation to legal proceedings, and evidence gathering processes, and complying with court orders.

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- Comply with statutory obligations, including to (i) provide data to authorized authorities in the context of criminal investigations, and (ii) comply with applicable data retention obligations, and (iii) the provision to third parties of data concerning customers in connection with an infringement of these third parties' rights.
- Establish the identity of customers or third parties, including provide access to data centers and our offices.

SHARING YOUR PERSONAL DATA WITH THIRD PARTIES IN OUR ROLE AS DATA CONTROLLER

Leaseweb DE may share your Personal Data with:

- Its affiliate Leaseweb Global B.V. ("Leaseweb Global") as the intercompany shared services provider in its role as a Data Sub-Processor as well as the operator of the Leaseweb website for the purposes of financial, tax, sales, (direct) marketing (including the websites www.leaseweb.com, the Leaseweb Customer Portal and the Leaseweb API) that may be used to order or manage Leaseweb DE Services or to communicate with Leaseweb DE.
- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Domain name registries when Leaseweb DE registers a domain name on your behalf.
- Debt collection agencies or other debt recovery organisations.
- Law enforcement agencies, regulatory organisations, courts or other public authorities to the extent required by law.
- A Leaseweb DE customer, if you notify Leaseweb DE that this customer use of Leaseweb DE services violates the Leaseweb DE's Policies or applicable laws.
- A third party that has claimed that your use of the Leaseweb DE services violates the Leaseweb DE's Policies or applicable law (to the extent such sharing is required by law).

RETENTION PROCEDURES

Leaseweb DE will store your Personal Data as long as necessary to perform the purposes of processing as stated in this Privacy Statement. Leaseweb DE will delete Personal Data processed by us or restrict processing in compliance with the statutory provisions, in particular in accordance with Articles 17 and 18 GDPR. Unless explicitly stated in this privacy policy, we will delete stored data as soon as it is no longer required for its intended purpose. Personal Data will only be kept after no longer being of purpose, if this is required for other and legally permissible purposes or if the Personal Data must be retained due to statutory retention obligations. In these cases, processing is restricted, viz. blocked and not processed for other purposes. Statutory retention requirements, for example, result from § 257 para. 1 HGB (German Commercial Code - 6 years for trading books, inventories, opening balance sheets, annual financial statements, commercial letters, accounting records, etc.) and from § 147 para. 1 AO (German Tax Procedure Code - 10 years for books, records, status reports, accounting records, commercial and business letters, documents relevant to taxation, etc.) store your Personal Data as long as necessary to perform the purposes of processing as stated in this Privacy Statement; unless otherwise required by law. Therefore, the exact retention period of your Personal Data may vary on case-by-case basis.

LEGAL GROUNDS

To process your Personal Data as described above, we rely on the following legal bases:

- **Performance of a contract (Art. 6 (1) b) GDPR):** the use of your information may be necessary to perform the contract that you have with us. For example, if you use our services, we will use your information to carry out our obligation to complete and administer that service under the contract that we have with you.
- **Legitimate interests (Art. 6 (1) f) GDPR):** the processing is necessary for the purposes of the legitimate interests pursued by us, for example, information security. We also endeavour to provide you with the best suitable content through our website, emails and newsletters, to improve and promote our products and services, and to enhance our administrative functions, fraud detection and legal purposes and for sales and marketing processes with affiliates including Leaseweb Global.
- **Consent (Art. 6 (1) a) GDPR):** For marketing advertisement (excluding operational communication as part of the services), you are free to withdraw your consent at any time.

CONSENT TO RECEIVE DIRECT MARKETING EMAILS AND WITHDRAWAL OF CONSENT

You are free to decide whether or not to share certain Personal Data (if any) with us for direct marketing purposes. However, if you decide not to provide certain Personal Data, or if you withdraw your consent thereto at a later moment, this may have affect how you experience our marketing for similar services. You are entitled to withdraw your consent by sending an email to the privacy email address listed below, or from direct marketing communication by opting-out from such communications. Upon receipt of your opt-out request, we will opt you out from the direct marketing list.

ACCESS CONTROL BY DATA CENTERS

Providers of data centers in Germany are not part of the Leaseweb group. Some data centers may require you to use a personalized ID badge, other data centers may require you to use a biometric access control system to gain unescorted access to the data center. In order to process these special categories of Personal Data, data centers rely on the following legal ground:

- **Security and authentication:** the processing of your biometric personal data by data centers is necessary for the purposes of authentication and security, in accordance with Art. 6 (1) and Art. 9 (1) and (2) GDPR.

Customer is aware that a data center is responsible for the physical access and control of its premises as a Data Controller. Each data center is solely responsible for determining and executing its access control policies as indicated in their House Rules, including the processing of such biometric data for its access control system.

TECHNICAL AND ORGANISATIONAL SECURITY MEASURES

In view of the EU GDPR, Leaseweb has taken and will maintain the appropriate technical and organizational security measures for protection of the security, confidentiality and integrity of Customer's Personal Data as described below.

Leaseweb not only assures a level of security but also of cybersecurity and business resilience which follow from Leaseweb obtaining the following certifications and assurance reports: ISO 27001, SOC1, PCI DSS.

TECHNICAL MEASURES

- **Data Encryption:**
 - Full disk encryption of all Leaseweb managed employee endpoints (data at rest).
 - Leaseweb has strong cryptography & security protocols with respect to data transmission via TLS or VPN (data in transit).
- **Access Controls:**
 - Access permissions based on least-privilege and need-to-know.
 - We have policies and procedures in place for on- and offboarding of Leaseweb employees with regards to access management.
 - Robust authentication and password related policies are in place and monitored.
 - Tools are made available to enable Leaseweb employees to work securely (such as password manager, VPN client, endpoint protection on all Leaseweb employee endpoints).
- **Secure Development:**
 - Code changes require a six-eyes principal.
 - (Security) Configuration of servers is based on infrastructure-as-code where possible.
 - All development teams are audited by the Leaseweb's security team twice a year based on a security maturity model.
 - Segregation between development, test and production environments.
 - Version control on Leaseweb's codebase.
- **Network Security:**
 - Network segmentation on Leaseweb's internal networks.
 - Firewalls are used in Leaseweb's internal network.
 - Intrusion detection systems are used within Leaseweb's internal network.
- **Vulnerability Management:**
 - Anti-virus software with EDR capabilities is installed on every Leaseweb employee endpoint to detect and stop the abuse of vulnerabilities.
 - Vulnerability monitoring, pentesting and red-teaming exercises are performed.

ORGANIZATIONAL MEASURES

- **Information Security Governance:**
 - Leaseweb operates an Information Security Management System ("ISMS"), conforming to the ISO 27001 standard.
 - This ISMS is audited on an annual basis by internal as well as external auditors.
 - Periodic contact with interested parties, such as security service providers, government and peer organisations to exchange threat intelligence and vulnerability information.
 - Leaseweb has a dedicated IT Security department.
- **Data Deletion:**
 - Wiping of Leaseweb equipment in use by Customer after termination of the Sales Contract.
 - Physical destruction of broken hard drives.
 - Secure paper disposal facilities are available.
- **Employee Training:**
 - Leaseweb employees have periodic mandatory security awareness training with varying topics including privacy awareness.
 - Periodic phishing simulations for all Leaseweb employees.
- **Risk management:**
 - Security risk assessments are performed on a periodic basis.
 - A security risk register is maintained and updated.
- **Vendor Management:**
 - Periodic vendor screening to evaluate and manage risks related to existing and new vendors.
- **Physical Security:**

Data centers and offices are secured to prevent unauthorized access:

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- Periodic reviews of physical security authorizations.
- **Documentation and Record-Keeping:**
 - Leaseweb maintains records of security policies and procedures.
 - Records are kept in our internal documentation and are updated periodically.
- **Continuous Monitoring of Leaseweb's internal IT environment by:**
 - Security information and event management ("SIEM") tooling
 - A third-party Security Operating Center ("SOC") that monitors the internal IT environment.
- **Audits and certifications:**
 - Internal auditing: Leaseweb performs internal audits on security related controls on a yearly basis.
 - External auditing:
 - PCI-DSS 4.0 certified
 - ISO 27001:2022 certified
 - ISAE3402 type 2 (SOC1) assurance report

LEASEWEB DE IN ITS ROLE AS UNMANAGED IAAS CLOUD PROVIDER (UNLESS EXPLICITLY PROVIDED OTHERWISE) (DATA PROCESSOR)

Any possible Customer Personal Data that is hosted, transmitted or processed on equipment you own (Co-location) or any possible Customer Personal Data hosted, transmitted or processed by Leaseweb DE in the delivery of the services on your behalf, is governed by this paragraph for Leaseweb as Data Processor, and any actions performed by Leaseweb DE in relation to such Personal Data shall be solely governed by the Sales Contract concluded between Leaseweb DE and its customer.

The customer of Leaseweb DE that owns the equipment (Co-location) or uses Leaseweb DE services, determines the purposes and means of the processing of Personal Data and therefore is to be considered the Data Controller in regards to such processing whereby Leaseweb NL has no logical access to such Personal Data.

DATA RESIDENCY

The data hosted on your own infrastructure or on Leaseweb's infrastructure is located in Germany. No data is transferred outside of the EU.

EU DATA SOVEREIGNTY

The Personal Data processed or stored by Leaseweb DE is subject to the laws and regulations of Germany and of the EU.

Leaseweb DE thereby benefits on its own behalf from its EU based ultimate ownership, management and control including cybersecurity matters. Thereby Leaseweb DE adheres to EU Data Sovereignty, and advocates for its Protection of European Data against Unlawful Access and its Immunity for Non EU law ("PUA").

In our role as a Data Processor, Leaseweb DE can provide to its customers a Data Processing Agreement (DPA) as required under the GDPR. If you as EU customer or supplier specifically require a Data Processing Agreement with Leaseweb DE, please contact us using the contact details below.

DATA PROTECTION OFFICER ("DPO")

The DPO of the Leaseweb group of European entities registered with the Dutch supervisory authority under number FG008004 is positioned at our headquarters in The Netherlands. This office as the global intercompany shared service provider offers expertise related to (international) data protection laws compliance, in particular GDPR compliance, effectively centralizing our connection with the Dutch and Hessian supervisory authority. The DPO can be reached at: legal@leaseweb.com.

YOUR RIGHTS

In accordance with data protection laws, you have a number of rights regarding your Personal Data and the processing thereof:

- You can view and, if necessary, change your Personal Data in your account at any time in case duly required.
- You can request the Personal Data processed of you.
- You also have the right to request the erasure of your Personal Data after the termination of the Sales Contract ("Right to be Forgotten") in case and to the extent duly required and permitted.
- In addition, you may, under certain circumstances, have the right to restrict of the processing of your Personal Data in case and to the extent duly required and permitted.
- You have the right to object, on grounds relating to your particular situation, at any time to processing of your Personal Data.
- You have a right to object against the processing of your Personal Data for direct marketing purposes (e.g., per electronic message, per phone or postable mail) by making use of the opt-out button in communications emails and/or rejected the opt-in.
- You have the right to receive your Personal Data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller when the processing is based on your consent or is necessary for the performance of a contract (personal data portability).
- You have the right to object, on grounds relating to your particular situation, at any time to processing of your Personal Data which is based on Art. 6 (1) e) or f) GDPR, including profiling. Where Personal Data are processed for direct marketing purposes, you have the right to object at any time to processing of Personal Data for such marketing, including profiling.

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If you have any requests regarding the abovementioned, please contact us using the privacy email address and contact details below. If we do not grant your request, we will inform you about the reason why.

RIGHT TO LODGE A COMPLAINT WITH YOUR LOCAL SUPERVISORY AUTHORITY

You have a right to lodge a complaint with your local supervisory authority if you have concerns about how we are processing your personal data. We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time. In Germany, you may lodge a complaint with a supervisory authority at your usual place of residence or your place of work. The competent supervisory authority for Leaseweb DE is: Der Hessische Beauftragte für Datenschutz und Informationsfreiheit, located at Gustav-Stresemann-Ring 1, 65189 Wiesbaden, email: postfach@datenschutz.hessen.de.

STATEMENT CHANGES

Leaseweb DE may modify or amend this Privacy Statement from time to time as our business practices and legal requirements evolve. If This Privacy Statement is modified, Leaseweb DE will provide notice of the change by posting the updated Privacy Statement on the Leaseweb website www.leaseweb.com. Leaseweb DE advises you to check this page regularly to see if any changes have been implemented.

CONTACT INFORMATION

If you have any requests, questions or suggestions about Leaseweb DE's privacy practices, please send an email to privacy@leaseweb.com.

Leaseweb Deutschland GmbH, a private limited liability company, incorporated under the laws of the Federal Republic of Germany, registered in the Commercial Register of the Local Court of Frankfurt am Main under HRB 89607 and with its office at Hanauer Landstraße 121, 60314 Frankfurt am Main, Deutschland, tel.: + 49 69 2475 2860, email: privacy@leaseweb.com.