

1 INTRODUCTION

The parties jointly responsible for the data processing (“joint controllers”) within the meaning of Article 26 GDPR and represented by its Managing Director EU, Stefan Georg Hockenberger, CFO, Olga Whitlatch and CEO, Ross Young, are:

- A. Movilitas Consulting GmbH**
Hermsheimer Str. 5
68163 Mannheim, Germany
- B. Movilitas Consulting BV**
Kasteelhoekstraat 1
1820 Steenokkerzeel, Belgium
- C. Movilitas France SAS**
9 rue Juliette Récamier
69006 Lyon, France
- D. Movilitas Consulting LLC**
8830 Stanford Blvd., Suite 300
Columbia, MD 21045, USA
- E. Movilitas.Cloud LLC**
1209 Orange St.
Wilmington DE 19801, USA
- F. Movilitas.Cloud BV**
Kasteelhoekstraat 1
1820 Steenokkerzeel, Belgium
- G. Movilitas.Cloud Kft**
Tinódi utca 1-3. B. ép. IV. emelet 1
1095 Budapest, Hungary

(individually “Controller” or jointly “MOVILITAS” or “Controllers”)

Data Protection officer (DPO)

Name: Thomas Ott

Function: DESAG Sachverständiger für Datenschutz & Datensicherheit (GDPR-DPO)

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In accordance with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016 / 679 of the European Parliament and of the Council) and in compliance with any associated national jurisdiction of a Member State and together with any supplementary national data protection legislation (jointly “Data Protection Legislation”), this Data Protection Declaration (“this Declaration”) for customers of MOVILITAS summarizes the personal and sensitive data within the meaning of Article 4 No. 1 GDPR that MOVILITAS collects from you and processes, as well as the purpose of the processing and your rights in this respect.

2 NATURE OF THE COLLECTED PERSONAL DATA

MOVILITAS may collect personal data in the course of the customer relationship:

- Contractual master data
- Customer number
- Contact person(s)
- Data concerning customer interests
- Communication data (name, address, telephone number, e-mail address)
- Contact history
- Order data; data concerning services purchased and sold
- Statistical evaluations
- Inquiries / complaints
- Activity information (e.g., support requests)
- Bank data, payment data, tax data
- Solvency information
- Contract billing data / payment data

3 ORIGIN OF THE PERSONAL DATA

We usually collect these data directly from the customers concerned. In some cases, we collect data from third parties:

- Information relating to your financial situation and creditworthiness which is procured from credit agencies
- Certain publicly accessible information from public sources (including the Internet)

4 PURPOSE OF AND LEGAL BASIS FOR THE PROCESSING OF PERSONAL DATA

MOVILITAS processes the data primarily to perform the underlying contractual relationship, i.e., your order. This encompasses in particular the:

- Acceptance, performance and follow-up processing of your order
- Handling of complaints

The legal basis for the processing is in each case point (b) of the first sentence of Article 6 (1) GDPR.

MOVILITAS also processes personal data for the fulfilment of a legal obligation arising from tax law and commercial law in the areas of tax returns and accounting. In this respect, the legal basis for the processing is point (c) of the first sentence of Article 6 (1) GDPR.

MOVILITAS also processes personal data to protect legitimate interests on the basis of point (f) of the first sentence of Article 6 (1) GDPR. Such interests are in particular:

- Efficiency improvements in the areas of IT security / IT management, accounting, customer service and financial planning
- General (anonymous) evaluations of customer data and order data

MOVILITAS may additionally request you for your consent to the use of personal data in individual cases. If consent is or becomes necessary in connection with discharging a contractual obligation, we will inform you separately. Consent, once given, may be revoked at any time with effect for the future. In each of these cases, processing is based on point (a) of the first sentence of Article 6 (1) GDPR.

5 FORWARDING OF YOUR PERSONAL DATA

MOVILITAS may pass on your personal data to other persons within the MOVILITAS group of companies. Such transfer shall comply with Articles 44 and sq of the GDPR. This includes the following companies of the MOVILITAS Group:

Movilitas Consulting Germany Holdings GmbH, Mannheim, Germany, **Movilitas Consulting GmbH**, Mannheim, Germany, **Naxxos BV**, Steenokkerzeel, Belgium, **Movilitas Belgium BV**, Steenokkerzeel, Belgium, **Movilitas France SAS**, Lyon, France, **Movilitas Consulting UK, Limited**, London, England, **Movilitas Consulting, LLC**, Columbia, USA, **Movilitas India Llp**, Delhi, India, **Movilitas.Cloud LLC**, Wilmington, USA, **Movilitas.Cloud Kft**, Budapest, Hungary and **Movilitas.Cloud BV**, Steenokkerzeel, Belgium.

Personal data are forwarded within the concern in the context of a joint controllership of the aforementioned companies pursuant to Article 26 GDPR and is necessary for the performance of the contractual relationship (point (b) of the first sentence of Article 6 (1) GDPR) or is based on a legal obligation (point (c) of the first sentence of Article 6 (1) GDPR) to disclose and forward them. In addition, data may be forwarded on the basis of a legitimate interest of MOVILITAS pursuant to point (f) of the first sentence of Article 6 (1) GDPR.

An agreement on joint controllership exists which regulates the respective data protection obligations of the joint controllers.

In the agreement on joint controllership, the Controllers have defined the responsibilities in the area of data protection obligations. In your capacity as data subject, you can address your data

subject's rights (e.g., right to information), as well as inquiries, to any or each of the Controllers. As a general rule, you will receive a response from the Controller to which you submitted the inquiry. In some cases, data subjects' inquiries may be forwarded internally if another Controller is responsible for the subject area of the inquiry and therefore better positioned to deal with it. In this case, too, you may assert your rights vis-à-vis any or each of the Controllers. The duties to provide information in accordance with Article 12 et seq GDPR are fulfilled jointly by all the Controllers, unless otherwise agreed internally in individual cases.

MOVILITAS may also forward personal data to other third parties including to:

- Persons who provide MOVILITAS with products or services (for example, financial, legal and other consultants, web mail providers, data storage providers and support providers, training and compliance partners, verification service providers and billing clerks)
- Sales partners and commercial agents
- Suppliers
- Regulatory or other public authorities
- Prospective and actual buyers of MOVILITAS

In this respect, personal data are forwarded in each case on the basis of a contract with the third party for processing under commission in accordance with Article 28 GDPR, or because it is necessary for the performance of the employment relationship (point (b) of the first sentence of Article 6 (1) GDPR) or because it is based on a legal obligation to disclose and forward the data (point (c) of the first sentence of Article 6 (1) GDPR). In addition, data may be forwarded on the basis of a legitimate interest of MOVILITAS pursuant to point (f) of the first sentence of Article 6 (1) GDPR).

6 TRANSMISSION OF YOUR PERSONAL DATA TO DESTINATIONS OUTSIDE THE EUROPEAN UNION

MOVILITAS may pass on your personal data to third parties located in third countries outside the ambit of GDPR.

This only occurs, however, where and insofar as the security of personal data is guaranteed in accordance with Article 44 et seq GDPR.

7 DATA STORAGE PERIODS

Your personal data are principally only stored for as long as needed to pursue the underlying purpose of the processing. This means that your data will initially be stored at MOVILITAS for the duration of your contractual relationship.

In each case, we store your data for the duration of the joint provision of services from the contractual relationship concerned. We also store your data until the end of the limitation period for all mutual claims arising from the contractual relationship (generally 3 (three) years from the end of the year in which the claim, and knowledge of the respective claim, arises), whichever occurs later.

After the purpose has lapsed, we erase the data without undue delay, unless MOVILITAS is obliged and / or entitled to hold the data by virtue of other legal retention obligations.

8 YOUR DATA PROTECTION RIGHTS

Data Subjects' Rights

In your capacity as a data subject affected by the processing of personal data, you have the following rights:

- You have the right to obtain confirmation as to whether personal data concerning yourself are being processed. Where this is the case, you have the right to information about these personal data and to the specific information set out under Article 15 GDPR
- You have the right to demand that the Controller rectify, without undue delay, any inaccurate personal data concerning yourself and, where necessary, complete any incomplete personal data (Article 16 GDPR)
- You have the right to demand that the Controller erase, without undue delay, any personal data concerning yourself if any reason set out under Article 17 GDPR applies, e.g., the data are no longer required for the pursued purposes (right to erasure)
- You have the right to demand that the Controller restrict the processing if any condition set out under Article 18 GDPR is satisfied, e.g., if you have lodged an objection to the processing, for the duration of the review by the Controller
- You have the right to receive the personal data concerning you which you have provided us with in a structured, common and machine-readable format and you have the right to transfer this data to another person in charge without hindrance by us, provided that the processing of this data is based on your consent or on a contract and that the processing is carried out with the aid of automated procedures (Article 20 GDPR). When exercising the right of data transferability, you have the right to obtain that the personal data be transferred directly from us to another responsible person, as far as this is technically feasible (right to data portability)
- You have the right, at any time, to lodge an objection to the processing of personal data concerning yourself on grounds relating to your particular situation. The Controller will then cease to process your personal data unless the Controller can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or where the processing serves the establishment, exercise or defense of legal claims (Article 21 GDPR)
- You have the right to (or to appoint the third party authorized to do so) set instructions regarding the storage, deletion or communication of your personal data after your death. Pursuant to Article 40-1 of the Data Protection and Privacy Act n°78-17 dated 6 January 1978, every data subject has the right to set instructions regarding the storage, deletion or communication of its personal information after his/her death (the “post-mortem right to privacy”). This is a specific right under French Law which has been implemented by the French Digital Republic Law of October 7, 2016. When personal data pertaining to French

data subjects are processed they must be provided with the information about such post mortem right to privacy just like their right of access or deletion of their data

Right to Lodge a Complaint

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority if you consider that the processing of personal data concerning yourself infringes GDPR (Article 77 GDPR). You can exercise this right with a supervisory authority in the Member State of your habitual residence, place of work or the place of the alleged infringement.

9 QUESTIONS & COMMENTS

Should you have any questions or comments in relation to this Declaration or to the data protection practices of MOVILITAS, please contact us by e-mail at datenschutz@movilitas.com or by phone on +49 (0) 621 150204 0.

Alternatively, you can contact our external Data Protection Officer (DPO) as follows:

Mr. Thomas Ott, KOLBCOM GmbH (<https://kolbcom.de/>), Augustaanlage 22, 68165 Mannheim, Germany, Tel.: +49 1515 2886186, e-mail: info@datenschutz-ott.de.

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