

# EXCIMP Privacy Statement

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## 1 Introduction

### 1.1 Who we are

Excimp is a global software development and sales company that enables its customers to identify and resolve exceptions in their SAP system, as well as monitoring timely billing for its customers. Our website address is: <https://www.excimp.com>. Excimp has offices in Coevorden, the Netherlands, and in Valley Springs (CA) in the United States. Our products and services are marketed under the EMMAX brand. In this policy, when we refer to "Excimp", "we" and "us," we mean Excimp International B.V..

### 1.2 Who Controls the Data?

For the purposes of European Data Protection law EXCIMP, Hendricus Krijthestraat 10, 7742 KB COEVORDEN, the Netherlands is the data controller of [www.Excimp.com](http://www.Excimp.com) and of the personal data referred to in this policy. EXCIMP's data protection officer can be reached at [hans.kardol@excimp.com](mailto:hans.kardol@excimp.com).

### 1.3 What personal data does Excimp collect and how and why we collect it?

#### 1.3.1 Information You Provide to Us

We collect information that you provide directly to us, including when you register for or order a Service; when a company, organization or individual authorizes you to manage its account or use our Services on its behalf; and/or when you subscribe to a newsletter, provide feedback about our Services or contact us with questions or comments about a Service.

#### 1.3.2 When you visit EXCIMP's websites

EXCIMP collects certain information about the browser, the operating system, and the IP address that is used. When you use a registration form, EXCIMP collects the information provided to EXCIMP, which can consist of your first and last name, email addresses, telephone numbers, location (country, state/province, city), your company name, job title and role, department and function, current relationship to EXCIMP, and your company's industry. EXCIMP requires your Personal Data to provide you with access to this site; to deliver any ordered goods or services; and to comply with statutory obligations, including checks required by applicable export laws. More information on why EXCIMP needs Personal Data can be found in section 2 below.

If you (for example, by disabling cookies) decline to have us collect such information, we may not be able to provide some or all of our Services to you.

### 1.4 Possible recipients of your Personal Data?

Your Personal Data can be passed on to third-party service providers; e.g., for the provision of spam and virus detection, newsletter dispatch, consulting services and other additional related services to process your Personal Data.

### 1.5 Your data protection rights?

At any time you can request access from EXCIMP to information about which Personal Data EXCIMP processes about you and the correction or deletion of such Personal Data. Please note that:

- EXCIMP can, shall or will only delete your Personal Data if there is no prevailing right or statutory obligation for EXCIMP to retain it;
- You will not be able to continue to use any EXCIMP service that requires EXCIMP's use of your Personal Data once EXCIMP deletes your Personal Data;
- You can request from EXCIMP that EXCIMP restricts your Personal Data from any further processing in any of the following events:
- EXCIMP no longer requires your Personal Data;
- you state that EXCIMP has incorrect Personal Data about you;

- in case you object to the processing of your Personal Data by EXCIMP based on EXCIMP's legitimate interest, subject to the time required for EXCIMP to determine whether EXCIMP has a legal obligation or prevailing interest in processing your Personal Data;
- you demand that EXCIMP stops further processing of your Personal Data when EXCIMP has no legal basis for processing your Personal Data;

EXCIMP uses your Personal Data based on your consent when you perform a contract with EXCIMP. To request a copy of the Personal Data that you provided to EXCIMP, please contact EXCIMP's data protection officer, specifying the information and the recipient to which your request should be sent to. EXCIMP carefully considers your request and, if needed, discuss with you how it can best fulfill it. If EXCIMP deletes your Personal Data, you will not be able to continue to use any EXCIMP service that requires EXCIMP's use of your Personal Data.

## 1.6 How long will EXCIMP retain your Personal Data?

EXCIMP only stores your Personal Data for as long as it is required:

- Until you revoke your consent granted in this Privacy Statement, if EXCIMP processes your Personal Data based on your consent;
- For availability of goods and services you requested;
- To comply with EXCIMP's statutory obligations or with relevant laws;
- Until you object against such use by EXCIMP;
- If by applicable mandatory law EXCIMP is required to retain your Personal Data;
- If EXCIMP requires your Personal Data defending or asserting against legal claims, EXCIMP retains your Personal Data until the until the claims in question have been settled.

## 2 Excimp's permission to process your data

### 2.1 Contractual obligations.

EXCIMP processes your Personal Data based on obligations pursuant to Article 6(1), lit. b GDPR or under the equivalent article under other national laws, when applicable, to fulfill contractual obligations. Based on a contract or contracts EXCIMP has with you or your company, EXCIMP requires your Personal Data to:

- deliver goods or services you order ("goods and services" include, but are not limited to, access to EXCIMP's website, offerings, other content, newsletters, manuals, presentations, tutorials, trainings, events);
- establish a contract for goods or services between you and EXCIMP;
- send you invoices for ordered goods or services,
- comply with a legal obligation.

EXCIMP's contractual obligation processing can include responding to your related inquiries, processing your feedback, conversation data that you may initiate or enable, or providing you with support. Processing can include functionalities on excimp.com, through contact forms, emails, or by telephone, or other digital communication platforms.

EXCIMP communicates by email or phone or other means of communication with users who subscribe to its services. EXCIMP uses your Personal Data to send you information about changes to its products and services, and information as required by law. Because these communications are required for a healthy business relationship, users cannot opt out of these communications.

If you want to opt out of marketing-related communications you can at any time send an email to [hans.kardol@excimp.com](mailto:hans.kardol@excimp.com) titled "unsubscribe" mentioning the sort of communication in the email you want to opt out of.

## 2.2 EXCIMP's legitimate interest.

Based on its legitimate interest (Article 6(1), lit. f GDPR) or the equivalent article under other national laws, when applicable, EXCIMP can use your Personal Data as follows:

- **Legal Claims and/or Criminal Activities.** For the purposes of preventing or prosecuting criminal activities and to assert or defend against legal claims, EXCIMP will use your Personal Data.
- **Personal Data.** To receive marketing communications such as and including newsletters, brochures or white papers from EXCIMP, tailored to your interest, EXCIMP can collect and store information of how you interact with such content to improve EXCIMP's communications with you.
- **Customer Contact.** EXCIMP uses your Personal Data when you purchase EXCIMP products or services from EXCIMP on behalf of a corporate customer, or if you are the contact person (the "Customer Contact") responsible for the business relationship between a customer and EXCIMP. This includes, for the avoidance of doubt, such steps which are required for establishing the relevant business relationship.
- **Surveys and other information gathering.** EXCIMP can send you information requests such as surveys or questionnaires, that will be generally designed in a way that they can be answered anonymously. If you choose to enter Personal Data in a questionnaire or survey, EXCIMP can use this Personal Data.
- **Quality improvement.** Communications such as telephone calls can be recorded for communications- training or quality improvement purposes.
- **To keep you up-to-date or request feedback.** Within an existing business relationship between you and EXCIMP, EXCIMP might inform you, where permitted in accordance with local laws, about its products or services (including webinars, seminars and events) which are similar or relate to such products and services you have already purchased or used from EXCIMP. Furthermore, if you attend a webinar, seminar or event of EXCIMP, download or view whitepapers, newsletters, videos, software free trials, or purchase products or services from EXCIMP, EXCIMP might contact you for feedback regarding the improvement of the relevant material, product or service.
- **Right to object.** If you want to object to one of the rights referred to in this privacy statement, you can contact the Data Protection Officer via the Data Protection Office by sending an email to [hans.kardol@excimp.com](mailto:hans.kardol@excimp.com). After reception of this email, your objection is carefully reviewed and, unless EXCIMP has a compelling legitimate ground for continued use of the information and such ground overrides your objection, EXCIMP ceases further use of the relevant information.

## 3 Processing based on consent

EXCIMP can and will process your Personal Data if you granted prior consent to the specific proposed processing of your Personal Data (Article 6(1) lit. a GDPR) or the equivalent article under other national laws, when applicable.

### 3.1 News about EXCIMP's Products and Services.

EXCIMP may use your:

- Personal Data and other data you provided,
- Basic information about your employer (name, address, and industry)
- Information based on previous communication with EXCIMP (purchases, participation in events or the use of EXCIMP (web) services – for further details see the Cookie Statement on the relevant EXCIMP website)

in order to inform you about:

- The latest EXCIMP product announcements;
- Software updates and software upgrades;

- Other information about EXCIMP's products and services (including marketing-related newsletters);
- Special offers;
- Events, and;
- To display relevant content on EXCIMP's websites.

EXCIMP does NOT provide any Personal Data or other user information to any social network (e.g. Twitter, LinkedIn, Facebook, Instagram or Google).

### 3.2 Events.

In case you register take part of an EXCIMP organized event, seminar, or webinar, EXCIMP may share with other participants of the same event, seminar, or webinar your basic participant information (your name, company, and email address) for the purpose of interacting with other participants, communication and the exchange of ideas.

### 3.3 Forwarding your Personal Data to other Third Parties.

Indicated by your consent, EXCIMP can transfer your event, seminar or webinar registration data to companies that use your registration data for the purposes of their participation in the event and are obliged to delete the data thereafter. Company that intend using your data for any other purposes, must contact you beforehand to get your consent to use your registration data.

### 3.4 Revocation of a consent granted hereunder.

To withdraw a consent granted hereunder you can at any time send an email to [hans.kardol@excimp.com](mailto:hans.kardol@excimp.com) titled "Unsubscribe". After your withdrawal, unless legally required to do so, EXCIMP will not process Personal Data any longer. If your Personal Data must be retained by EXCIMP for legal reasons it will only be retained for the term required by law and not be processed anymore. After your withdrawal, EXCIMP will not be (any longer) able to provide the relevant service where your consent is required.

## 4 Processing under applicable laws.

In any situation where EXCIMP can and will use information about you, including Personal Data, it is only done in accordance with the applicable law, and for the following business purposes:

- For network security purposes;
- For verifying your identification;
- Helping EXCIMP to design, develop, deliver, improve and upgrade EXCIMP products, service, and content;
- For EXCIMP internal auditing, analysis, and research to improve EXCIMP's products or services;
- For maintenance and verification of the quality or safety of a product or service controlled by, owned by, controlled by, manufactured by, or manufactured for EXCIMP;
- For performing support and/or debugging services to identify and repair errors that impair existing intended functionality;
- For protecting against malicious, deceptive, fraudulent, or illegal activity, detecting security incidents and for identifying and prosecuting those responsible for that activity;
- For the prevention, investigation, detection and prosecution of criminal offences;
- Organizing, planning and hosting events;
- To inform you about upcoming events;
- Hosting online events, forums or webinars;
- To keep you updated on EXCIMP's latest products and services;
- For communication about your shown interest in EXCIMP products, services and offerings.

### 5 Privacy Policy changes

EXCIMP's Privacy Policy may change from time to time for legal requirements to align with EXCIMP'S business. EXCIMP posts the updated Privacy Policy on EXCIMP's web page, indicating that updates have been made by changing the effective date first written above. EXCIMP urges you to check back periodically to see whether there have been updates to this Privacy Policy.

Your continued use of EXCIMP's Products, Services or communication after the updated Privacy Policy has been posted (or any other indication of your consent) will constitute your acceptance of the updated Privacy Policy.

### 6 Cookies

EXCIMP's Cookie Declaration describes the use of information gathered by cookies or similar technologies, Your cookie preferences are outlined in Excimp's cookie statement in the "Cookie Declaration" link in the bottom footer of the [excimp.com](http://excimp.com) homepage.