

INTRODUCTION

On May 25, 2018, the General Data Protection Regulation (GDPR) replaced the existing data protection law i.e. the Data Protection Directive that has been in effect since 1998. This **General Actility Privacy Policy** (also referred to as the '**Privacy Policy**') is designed to inform our customers about why we are processing their data and for how long we will store it.

This Privacy Policy provides information on the collection, use, sharing and processing of personal information by **Actility** and its affiliates including but not limiting to **Abeway** ("Actility", "we" or "us") in connection with your use of Software as a Service, ThingPark platforms, ThingPark marketplace, Actility websites, and social media pages that link to this Privacy Policy, your interactions with Actility during in-person meetings or at Actility events, and in the context of other offline sales and marketing activities. This Privacy Policy also explains the choices you have in relation to these processing activities.

This Privacy Policy was last updated on 7 December 2019. However, the Privacy Policy can change over time, for example to comply with legal requirements or to meet changing business needs.

As used in this Privacy Policy, 'personal information' or 'personal data' means information that relates to an identified individual or to an identifiable individual. For example, this could include among other things your name, address, email address, business contact details, or information gathered through your interactions with us via our websites or at events. Personal information is also referred to as '**information about you.**'

SCOPE

This Privacy Policy applies to the processing of personal information by Actility of:

- visitors and users of the various Actility sites;
- attendees of Actility events;
- Sellers and Buyers on ThingPark marketplace;
- customers and prospective customers and their representatives;
- subscribers to ThingPark platforms;
- suppliers and business partners (distributor, resellers, OEM,...) and their representatives.

WHO IS RESPONSIBLE FOR YOUR PERSONAL INFORMATION?

Personal information owned by Actility

Actility and its affiliated entities are responsible for processing your personal information described in this Privacy Policy.

Personal information owned by our customers

Actility is a data processor of the ThingPark online services on behalf of its Customers. Personal data recorded into the system by customer is owned by customers and remain under his responsibility. Personal data managed by European Customer on ThingPark has to be compliant with GDPR regulations.

WHICH TYPES OF PERSONAL INFORMATION DO WE PROCESS AND FROM WHICH SOURCES

Actility can process information about you collected both offline and online.

- **Offline information** about you originates from our interactions with you during in-person meetings or at Actility events, conferences, workshops or gatherings;
- **Online information** about you originates from your activities on our sites, for example, in relation with your Actility accounts, (pre-)sales inquiries or subscription to our platform, or from your interactions with Actility via electronic communication tools such as email or telephone. Information about you may also be provided by third party sources, such as data aggregators who may not have a relationship with you.

Online information about you may also originate from the use of cookies and similar technologies (for example, pixel tags and device identifiers) on our sites or sites of third parties.

Information about you that Activity may collect and process includes:

- name and physical address, email addresses, and telephone numbers;
- country of origin,
- transactional data, including products and services ordered, financial details (credit card number) and payment methods;
- company data such as the name, size and location of the company you work for and your role within the company;
- unique IDs such as your mobile device identifier or cookie ID on your browser;
- IP address and information that may be derived from IP address, such as geographic location;
- information about a device you use, such as browser, device type, operating system, the presence or use of "apps", screen resolution, and the preferred language;
- behavioral data of the internet connected computer or device you use when interacting with the sites, such as advertisements clicked or viewed, sites and content areas, date and time of activities or the web search used to locate and navigate to a site.

WHY AND HOW DO WE USE YOUR PERSONAL INFORMATION?

We may use personal information for the following purposes:

- IOT SaaS/hosting services platform: the processing of data is needed to ensure that the service is achieved: transport of the sensor data to the customer application, and metadata processing for statistics and production of billing data. With regards to accounts and data uploaded from IoT sensors, the data processed is the metadata of the packet (radio parameters, timestamps). The payload is transferred encrypted in case of external Join Server or HSM or decrypted if the Network Server has been configured with the key. Per subscriber account, Subscriber sensor's data are routed to the end user Application servers. The data is processed in order to ensure the proper communication between the sensor and the customer application. Activity is processing data on behalf of its customers. Activity does not have access to encrypted data save for the sole purpose of delivering maintenance and support services, upon customer request.
- to communicate and respond to your requests and inquiries to Activity;
- to deliver functionality on our sites and for their technical and functional management;
- to administer subscriptions of ThingPark platform;
- to market our products and services or related products and services, and to tailor our marketing and sales activities to your or your company's interests;
- to engage in transactions with customers, suppliers and business partners and to process orders for Activity products and services;
- to analyze, develop, improve and optimize the use, function and performance of our sites and products and services;
- to manage the security of our sites, networks and systems;
- to comply with applicable laws and regulations and to operate our business.

Activity uses main sub processors for the only purpose of storing personal data and managing Activity data bases:

- OVH (France).
- Equinix (France).
- NetSuite (Ireland).
- AWS;
- Verso Altima Group (Croatia).

FOR WHAT PERIOD DO WE RETAIN PERSONAL INFORMATION

Activity maintains personal information for the following retention periods:

- Information about you we collect to engage in transactions with our customers, suppliers and business partners, and to process purchases of our products and services, will be retained for the duration of the transaction or services period, or longer as necessary for record retention and legal compliance purposes.

ACTILITY PRIVACY POLICY

- If you have registered for an Actility account, your account information will be retained for as long as you maintain an active account. Your account and account information will be deleted if you do not log in for 18 consecutive months. Actility retains records of that deletion for 90 days.
- Contact information such as your email address or phone number collected online on our sites or offline from our interactions with you at Actility events and conferences, and used for direct marketing and sales activities will be retained for as long as we have an active (customer) relationship with you. We treat you as an active contact if (i) you have interacted with Actility or updated your contact details and preferences in the past months; and (ii) you have not made a deletion request.
- Data routing process from the sensor to the Application server: real time;
- Encrypted data from the sensors are stored one month in the system and a backup is retained for 1 year;
- Subscriber email remain stored during the time of the transaction (services agreement);
- Personal information needed to retain you opt-out preferences is retained for 20 years (or longer as necessary to comply with applicable law).

The retention period is further detailed for each main category of data.

CATEGORY OF DATA	TYPE OF TREATMENT	PURPOSE OF TREATMENT	RETENTION PERIOD AND TIME OF ERASING
Data under Actility's responsibility			
Internal CRM, Marketing and contractual customer database (name, organization, postal address and phone numbers, emails...)	any	Business, marketing and support	Term of the company
HR (resume...)	any	Recruitment process	36 months
HR employee information	any	Scope of HR functions	Term of the company
Data under Customer's responsibility. Actility is acting only as a processor			
Subscribers accounts (subscribers' emails and subscribers names)	any	Platform access right	Stored during the term of the transaction (services agreement) and deactivated at the expiration or termination of the services agreement
Sensors log (Payload encrypted not accessible to Actility personnel)	any	Customer and LoRaWAN Network support analysis	Log data definitively erased at the expiration of a thirty-five (35) days period
Data routing process from the sensor to the Application server	any	transferred without specific processing	Real time
Location logs and history	any	Customer and Abeeway support analysis	45 days
Any type of data	backup	Backup	One back up per day and back up erased at the expiration of a twelve (12) months period

WHEN AND HOW CAN WE SHARE YOUR PERSONAL INFORMATION?

Sharing within Actility

As a global organization, information about you may be shared globally throughout Actility's worldwide organization.

Actility employees are authorized to access personal information only to the extent necessary to serve the applicable purpose(s) and to perform their job functions.

Sharing with third parties

We may share personal information with the following third parties:

- Third-party service providers (for example, credit card processing services, order fulfilment, and other similar service providers) in order for those service providers to perform business functions on behalf of Actility;
- Actility distributors or resellers for further follow-up related to your interests, specific partners that offer complementary products and services or with third parties to facilitate interest-based advertising;
- As required by law, such as to comply with a subpoena or other legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to government requests, including public and government authorities outside your country of residence, for national security and/or law enforcement purposes.

When third parties are given access to personal information, we will take appropriate contractual, technical and organizational measures designed to ensure that personal information is processed only to the extent that such processing is necessary, consistent with this Privacy Policy, and in accordance with applicable law.

HOW IS YOUR PERSONAL INFORMATION SECURED?

Actility has implemented appropriate technical, physical and organizational measures designed to protect personal information against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorized disclosure or access, as well as all other forms of unlawful processing.

WHAT ARE YOUR CHOICES?

We provide multiple choices in respect of the information we process about you:

- **Opt-out of our use of your personal information**

You may withdraw consent you have previously provided for the processing of information about you, including for email marketing by Actility.

- **Delete personal information**

You can ask us to erase or delete all or some of the information about you.

- **Change or correct personal information**

You can edit some of the information about you by.

You can also ask us to change, update or fix information about you in certain cases, particularly if it is inaccurate.

- **Object to, or limit or restrict use of personal information**

You can ask us to stop using all or some of the information about you (for example, if we have no legal right to keep using it) or to limit our use of it (for example, if the information about you is inaccurate).

- **Right to access and/or have your information provided to you**

You can also ask us for a copy of information about you and can ask for a copy of information about you provided in machine readable form if you reside in the EU or other country that provides you this right as a matter of law.

DATA PROTECTION OFFICER

Actility has appointed a **Global Data Protection Officer**. If you believe your personal information has been used in a way that is not consistent with the Privacy Policy or your choices, or if you have further questions, comments or suggestions related to this Privacy Policy, please contact the Global Data Protection Officer by filling out an inquiry form.

Written inquiries to the Global Data Protection Officer may be addressed to:

Actility
Data Protection Officer
Nicolas Jombart
65 rue de la Victoire
75009 Paris
FRANCE
Privacy@actility.com

DISPUTE RESOLUTION OR FILING A COMPLAINT

If you have any complaints regarding our compliance with this Privacy Policy, please contact us first. We will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with this Privacy Policy and in accordance with applicable law.

You also have the right to file a complaint with a competent data protection authority if you are a resident of a European Union member state.