

FLUENTA PRIVACY POLICY

Effective June 1, 2022

Your privacy matters to Fluenta Europe so please take a moment to familiarize yourself with this Privacy Policy and contact us at privacy@fluenta.eu if you have any questions or queries.

WHEN THIS PRIVACY POLICY APPLIES

Fluenta Europe Ltd. (referred to as “Fluenta Europe” or “We”) builds and provides a range of Internet-based services that help thousands of companies daily to conduct procurement related transactions and interact with other businesses in new ways. Our brand is called Fluenta and the Services include **Fluenta Sourcing, Fluenta Auction, Fluenta Compliance, Fluenta Contract, Fluenta R2P, Fluenta Invoice, Fluenta Workflow, Fluenta Analytics** and **Fluenta Go**. We refer to them collectively as “Fluenta” or “the Services” throughout this Privacy Policy.

There are different ways you can use Fluenta – you may be (i) (a user on behalf of) one of our customers with a subscription agreement; (ii) (a user on behalf of) one of our customers without a subscription agreement (referred to as a supplier in Fluenta); and/or (iii) a visitor to a page in Fluenta that is available without signing in or creating an account at all.

We collect information about you as we are providing the Services. The information we collect, and how that information is used, depends on how you use Fluenta. This information may contain **personal data** - information that can be used to identify an individual.

This Privacy Policy applies to personal data that customers (or their users) provide to Fluenta Europe or Fluenta Europe personnel when using the Services or is obtained by Fluenta Europe through customers’ use of the Services. Fluenta Europe has separate policies for other Fluenta Europe services and websites.

This Privacy Policy is targeted at individuals who are users of the Services. It is meant to help you understand **what** information we collect, **why** we collect it and how you can **access** and **update** your personal data and where to go for further **information**.

Fluenta may contain links to third-party websites that are not part of the Services. This Privacy Policy does not apply to such foreign websites. Fluenta Europe is not responsible for the privacy practices or the content of websites outside the Services. Therefore, we recommend that you carefully read the privacy statements of such foreign sites.

Notice to our customers with a subscription agreement: This Privacy Policy is complimentary and works in conjunction with the subscription agreement and data processing agreement between Fluenta Europe and each customer with a subscription agreement by offering further detail regarding such data processing activities. If you are a customer with a subscription agreement and do not have a data processing agreement in place with Fluenta Europe for the Services and would like to add one to your agreement, please contact your Fluenta Europe sales representative.

WHO IS RESPONSIBLE FOR ANY PERSONAL DATA COLLECTED?

We, Fluenta Europe Ltd., a company registered in Hungary with registered number 01-09-711910 whose registered office is at 50 Alkotás Street, Budapest, 1123, Hungary are responsible for processing your personal data.

Your organisation (our customer) is the controller for the processing of your personal data and is responsible for making sure that the user's privacy rights are respected and that required consents are obtained before entering personal data into the Services, including ensuring appropriate disclosures about third party data collection and use.

Fluenta Europe acts as a data processor for our customers, acting on the lawful and technically feasible instructions of our customers within the scope of the Services we offer. The documentation to the Services is considered part of such instructions.

WHAT PERSONAL DATA DO WE GATHER?

We collect information about you as a user of Fluenta and/or visitor to a page in Fluenta that is available without signing in or creating an account at all. This information is generally only related to your role at your company, and is not related to you as a private person or as an individual consumer and may be either **information that you provide to us or information that we obtain through your use of the Services.**

Information that you provide to us

When creating a Fluenta account, we will request that you (or your company) provide your personal data – your name, work e-mail address and the company you work for. You may complete your profile with other work-related information like your position and work contact information (but you can decide not to provide us with this information). If you are a user on behalf of one of our customers with a subscription agreement, your company may provide us further personal data in your personal profile like your employee number or an alternate login id necessary for the performance of the Services and/or authentication.

You are not obliged to provide any personal data to Fluenta Europe. If you object to providing personal data to Fluenta Europe, please contact your company for alternatives.

You (or our customer) may also provide us various type of personal data through transactions that use the custom field and form features in Fluenta, like a Sourcing event or a Compliance assessment, or result in the sending of system email messages. Transaction documents uploaded into the Services may also include your personal data like when you are a signatory on an agreement uploaded to Fluenta.

If you are a sole-proprietor or individual contractor or you have been requested by one of our customers to provide personal data in the Services as a private person in a custom form and you object to providing personal data to Fluenta Europe, please contact our customer directly to investigate other options.

You (or our customer) may also provide us with personal information when using our customer support services in connection with the Services.

Personal data submitted to Fluenta may not include sensitive personal information unless some type of sensitive personal information is *expressly* allowed by us regarding a specific aspect of the Services and is submitted by a customer only in accordance with the documentation. Sensitive personal

information for the purposes of the Services and this Privacy Policy means government identification numbers or financial account numbers associated with individual persons (e.g. social security numbers, driver's license numbers, or personal credit card or banking account numbers) and data designated as "Sensitive" or "Special Category" or the like requiring extra protective measures under the applicable data protection law (as defined in the data processing agreement between your organization and Fluentia Europe). Please report any requests from our customers to you to submit sensitive personal information in Fluentia to privacy@fluentia.eu so that we can take the appropriate steps to ensure the safety of your personal data (as well as the personal data of other users who might be affected).

Information that we obtain through your use of the Services

We will also collect information as you use the Services – how you use them, where you use them and when you use them and which transactions you engage in. This information is not provided by you but is automatically collected and stored as a result of your interaction with the Services. Such information may include:

- the browsers and devices that you use to access the Services – this information is used for example to remind you to turn off a browser extension that may interfere with your use of Fluentia;
- your activity – we may collect log information with different detail levels about your activity in the Services so that we can retrospectively establish who accessed or modified data and when. This is essential for our customers to stay compliant and for the security of Fluentia;
- your location information – your location can be determined with varying degrees of accuracy by your IP address and helps us detect, prevent, and respond to fraud and security risks;
- your engagement with system email messages – we may track the delivery and opening of the messages generated by Fluentia at the individual level which helps us improve our log information and our customer support services.

We use various technologies to collect and store information, including cookies, pixel tags, local storage, such as browser web storage or application data caches, databases and server logs.

FOR WHAT PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

We process your personal data collected in the Services for the purposes of:

- **providing the Services to your company;**
- **maintaining and improving the Services;**
- **communication with you and facilitating communication between you and other Fluentia users;**
- **measuring performance;**
- **transaction security and preventing, detecting and investigating fraud.**

More information on these purposes is available below:

Providing the Services to your company

We use your information to provide the Services to you (and your organisation) such as processing the requested transactions through Fluentia.

Maintaining and improving the Services

We also use your information to ensure that the Services are working as intended, such as tracking outages or troubleshooting issues that you report to us. And we may use your information to make improvements to the Services, including developing new services.

Communication with you and facilitating communication between you and other Fluentia users

We use your information to interact with you directly. For example, we may send you a notification about failed login attempts to your Fluenta account. Or we may let you know about upcoming changes or improvements to the Services. And if you contact Fluenta Support, we'll keep a record of your request in order to help solve any issues you might be facing. We will use your information to facilitate your business relationships in Fluenta.

Measuring performance

We may perform research into usage trends through statistical analysis. We use the results of such research to improve the Services. The research results are only reported on an aggregate basis.

Transaction security and preventing, detecting and investigating fraud

We may use personal data to prevent, detect and investigate fraud and to enforce our Terms and Conditions.

WHAT ARE OUR LEGAL GROUNDS FOR PROCESSING YOUR PERSONAL DATA?

We process your information for the purposes described in this policy, based on the following legal grounds:

- **with your consent;**
- **when we're pursuing legitimate interests;**
- **when we're providing a service;**
- **when we're complying with legal obligations.**

More information on these legal grounds is available below:

With your consent

We ask for your agreement to process your information for specific purposes. For example, we ask for your consent to record the calls you make to Fluenta Support for record-keeping, training and quality-assurance purposes. If your data is based on your consent, you may withdraw your consent at any time. (The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.)

When we're pursuing legitimate interests

We process your information for our legitimate interests and those of third parties while applying appropriate safeguards that protect your privacy. This means that we process your information for things such as:

- providing, maintaining and improving the Services to meet the needs of our users or our customers;
- developing new products and features that are useful for our users or our customers;
- understanding how our customers use the Services to ensure and improve the performance of the Services;
- detecting, preventing or otherwise addressing fraud, abuse, security or technical issues with the Services;
- protect against harm to the rights, property or safety of our users, our customers or Fluenta Europe as required or permitted by law;
- performing research that improves the Services for our users or our customers;
- enforcing legal claims, including investigation of potential violations of applicable Terms of Service.

When we're providing a service

We process your data to provide a service you've asked for (including fulfilling our contractual obligations). For example, we process your information when you contact Fluenta Support for help or to process a transaction which you have requested.

When we're complying with legal obligations

We'll process your data when we have a legal obligation to do so, for example, if we're responding to legal process or an enforceable governmental request.

WHO WILL WE SHARE YOUR PERSONAL DATA WITH?

Fluenta Europe will treat personal data as confidential. Your personal data is exclusively processed for the purposes referred to above and will only be shared with third parties on a strict need to know basis in the following cases:

- **with your consent;**
- **to your potential or current business partners in Fluenta;**
- **for external processing,**
- **for legal reasons.**

More information on these cases is available below:

With your consent

We'll ask for your consent before using your information for a purpose that isn't covered in this Privacy Policy.

To your potential or current business partners in Fluenta

Fluenta Europe may disclose your profile and company contact information that you maintain in your Fluenta profile to users of other Fluenta customers to facilitate your business relationships and transactions. For example, if you are using Fluenta as a supplier, buyers may be able to discover your profile based on your name and email address that we share with them so that they invite you to participate in Sourcing events. Or if you are a buyer and invite a supplier to complete a Compliance assessment, your name and contact details will be shared with the supplier.

For external processing

We provide personal information to other Fluenta Europe companies and other trusted businesses or persons to process it for us, based on our instructions and in compliance with our Privacy Policy and any other appropriate confidentiality and security measures. For example, we use third parties for website hosting.

For legal reasons

We will share personal information outside of Fluenta if we have a good-faith belief that access, use, preservation or disclosure of the information is reasonably necessary to:

- meet any applicable law, regulation, legal process or enforceable governmental request.
- enforce applicable Terms of Service, including investigation of potential violations.
- detect, prevent or otherwise address fraud, security or technical issues.
- protect against harm to the rights, property or safety of our users, our customers or Fluenta Europe as required or permitted by law.

INTERNATIONAL DATA TRANSFERS

As part of the Services offered to you the collected personal data may be transferred to authorized third parties, which may be located outside of the Economic European Area (EEA). By way of example, this may happen if one of our service providers is located in a country outside of the EEA. As far as these third parties have access to personal data in order to process it for us, based on our instructions and in compliance with our Privacy Policy and any other appropriate confidentiality and security measures, Fluentia Europe has taken the required organizational and/or contractual measures to ensure that your personal data is exclusively processed for the purposes mentioned above and that adequate levels of protection have been implemented in order to safeguard your personal data. This may include applying certain European Commission approved legal frameworks and transfer mechanisms for transfers to third parties in countries which have not been deemed to provide an adequate level of data protection as well as any additional local legal requirements.

YOUR RIGHTS

You have the right to access, modify and delete personal data about you although this may require approvals by your employer. To exercise these rights, Fluentia Europe has procedures to allow updates to personal data in a timely manner. In most Services, the administrative contact for your company can directly change personal data by logging on to the Services and managing your account profile directly. In some Services, each individual user can self-administer his/her own user account details or changes may be requested by contacting Fluentia Support at support@fluenta.eu.

Deletion of your personal data may require approval by your (current or former) employer. Requests to delete or anonymize personal data must be made to the administrative contact for your company and such steps may require Fluentia Europe assistance.

If you are unable to access, correct, update, or delete your personal data because you are no longer an employee of the business that is the account holder, or your account has been terminated, you may contact us at privacy@fluenta.eu. In each case, Fluentia Europe will take reasonable measures to contact the customer that is responsible for the account and accommodate your request or respond in writing with the legal basis for denying the request within thirty (30) days.

You have the right to receive personal data that concerns you and which you have provided to Fluentia Europe, in a structured, digital form and transmit such data to another party if this is technically feasible. You can export the personal data stored in your account profile if you want to back it up or use it with a service outside of Fluentia or contact us at privacy@fluenta.eu for further information or for submitting such request.

We may charge a reasonable fee for the administrative costs of complying with unfounded, excessive or repetitive requests.

COOKIES AND SIMILAR TECHNOLOGIES

We use cookies and similar technologies that aim to automatically collect and store information when you interact with the Services. If you configure your browser to reject cookies from Fluentia, you will not be able to access the Services. Personal data you submit while using Fluentia is not stored in cookies except where necessary to perform web site security, service functionality and usage analytics. We do not place any third-party advertising tracking cookies on your computer during your use of the

Services. The web pages you access when using the Services do not respond to "do not track" signals sent by your browser.

SECURITY OF YOUR PERSONAL INFORMATION

We work hard to protect you and Fluenta Europe from unauthorized access, alteration, disclosure, or destruction of information we hold. We have implemented commercially reasonable administrative, physical and technical safeguards which include data encryption, firewalls, physical access controls to buildings and files, and ongoing employee training and education. We have policies and procedures in place to limit access to our systems to only those employees and trusted third parties that have a need-to-know basis based on specific job function or role. We offer security features for your account like notification of failed login attempts and locking your account after 5 failed login attempts. We review our information collection, storage and processing practices, including physical security measures, to prevent unauthorised access to our systems. We restrict access to personal information to Fluenta Europe employees, contractors and agents who need that information in order to process it. Anyone with this access is subject to strict contractual confidentiality obligations and may be disciplined or terminated if they fail to meet these obligations.

In the event we have a reasonable, good faith belief that an unauthorized party has gained access to or been disclosed personal information that we have collected or received through the Services, we will promptly notify our customers.

HOW LONG WE RETAIN YOUR DATA

We will retain personal data in active databases for varying lengths of time depending upon the specific Service, type of data, the agreement between Fluenta Europe and your organization and applicable law in accordance. Customers are provided with user administration features with which they can remove or update elements of their users' personal data. Personal data being processed by Fluenta Europe for customers with a subscription agreement in the Services is deleted or obfuscated after expiration or termination of the customer's agreement with some time delay to confirm termination and allow for log files to be overwritten, unless there is a legal obligation for Fluenta Europe to retain the information, retention is required for some time (e.g. time necessary to resolve a dispute), or an alternate approach has been mutually agreed with the customer. Personal data stored in the Services for suppliers is retained longer due to the requirements for account administration, but we will work with the supplier to remove or anonymize personal data associated with users as soon as reasonably possible if there is no longer a legitimate need for retention.

RUSSIA SPECIFIC PROVISIONS

If your organization has operations in the Russian Federation, be aware that Fluenta Europe may receive from you certain personal data of Russian citizens for storing and your organization's own processing. Your organization, or Russian-based affiliated organizations, remain the operators, under the Russian privacy law, of personal data of Russian citizens submitted for processing to Fluenta Europe and are responsible for determining (i) if you or your organization will be able to comply with applicable Russian privacy laws and regulations in use of the Services which involve processing of Russian citizens' Personal Data and (ii) whether the Services can be used inside or outside the Russian Federation.

FURTHER INFORMATION

If you have questions or concerns regarding this Privacy Policy, you should first contact your company's administrator for the use of the Services. If you do not receive acknowledgment of your inquiry or your inquiry has not been satisfactorily addressed or you do not have an active customer relationship with Fluentia Europe, please contact us at privacy@fluenta.eu for further information or for submitting such requests. You may also contact us at Fluentia Europe Ltd., 50 Alkotás Street, Budapest, 1123, Hungary.

If you remain unsatisfied by the handling of your complaint and the processing of your personal data by Fluentia Europe, you may also lodge a complaint to the Hungarian National Authority for Data Protection and Freedom of Information whose visiting address is 22/c Szilágyi Erzsébet fasor, Budapest, 1125, Hungary. Please visit <https://www.naih.hu> for more information.

CHANGES TO THIS PRIVACY POLICY

This Privacy Policy may be changed over time. You are advised to regularly review the Privacy Policy for possible changes but if the changes are significant, we will provide you with an appropriate notice, including e-mail notification if necessary.

This Privacy Policy was last changed on 1st June 2022.

Significant changes in this version include:

1. General changes throughout the document

We have updated our company's data. The new name of our company is Fluentia Europe Ltd. or Fluentia Europe (formerly known as Electool Hungary Ltd. or Electool). We have also updated our company address.

2. Changes to section "When this privacy policy applies"

The list of services now includes Fluentia Analytics.

3. Changes to section "International data transfers"

The reference to the EU–US and Swiss-US Privacy Shield Framework has been removed.