



## Business Partner Privacy Notice

At Parloa GmbH ("**Parloa**", "**we**", "**us**", "**our**") we take data protection very seriously. We have developed this Business Partner Privacy Notice ("**Notice**") to transparently inform you about how we collect, use, disclose and otherwise process personal data as required by applicable law or as we require in the course of fulfilling our professional responsibilities and operating our business as well as about your rights under the General Data Protection Regulation (Regulation (EU) 2016/679) ("**GDPR**").

### 1 For whom is this Privacy Notice?

This Notice covers our processing of personal data under GDPR and the German Federal Data Protection Act (*Bundesdatenschutzgesetz*; "**BDSG**") with respect to any natural person means with whom Parloa has a business relationship, including but not limited to representatives and employees of customers, suppliers, service providers, external consultants and visitors to our premises ("**Business Partner**").

By providing this Notice to you, we comply with our information obligations under GDPR. Please note that this Notice shall not confer upon you any rights or obligations that are not conferred upon you by law.

### 2 Who are we and how can you contact us?

The controller of your personal data is:

Parloa GmbH  
Schönhauser Allee 9  
10119 Berlin  
Germany

Please contact us at [privacy@parloa.com](mailto:privacy@parloa.com) with respect to questions about this Notice, the processing of your personal data in general and to exercise your rights towards Parloa as outlined below under no. 8.

With respect to certain processing activities, we jointly determine the purposes and means of processing together with other companies of the Parloa group of companies, i.e., as so-called joint controllers. Please find additional information on the processing of personal data under such joint control in no. 9 below.

### 3 Where do we collect your data?

We collect your personal data either directly from you (e.g. if you contact us) or it may be provided to us by your employer / commissioner. This concerns the following categories of personal data:

- Contact details, such as name, business address, business email address and phone number, business fax number
- Professional details, such as company name, job position, job title, authorizations (e.g. to receive notifications with respect to the relationship between your employer / commissioner and Parloa or to conclude contracts)

- Payment details, such as outstanding payments, payments made, bank information (in case of a contract between Parloa and you)
- Your consent to electronic direct marketing communication (where required under applicable law)

You are generally not required to provide your personal data to us. However, if you do not provide your personal data, we might not be able to carry out certain processes (e.g. we will be unable to contact you without your contact details). In some cases, this may mean that we will be unable to continue with your engagement (in case we concluded or intend to conclude a contract with you) or that your employer / commissioner will not be able to deploy you as a point of contact for us.

#### 4 How is your data used (purposes and legal bases)?

We process your personal data to administer and manage the relationship between us and you or your employer / commissioner, operate our business and comply with our legal obligations.

More specifically, we process your personal data for the following purposes and rely on the listed legal bases. Where relevant, the legitimate interest is included in the table below as well.

The relevant legal bases are:

- Performance of a contract (Art. 6 (1) (b) GDPR);
- Compliance with legal obligations (Art. 6 (1) (c) GDPR);
- Legitimate interests (Art. 6 (1) (f) GDPR); and
- Consent (Art. 6 (1) (a), Art. 7 GDPR).

No	Purpose of processing	Legal basis	Legitimate interest (where relevant)	Categories of personal data
1.	To carry out the contract between us and (i) you or (ii) your employer / commissioner	(i) Performance of contract in case of a contract <sup>1</sup> between you and Parloa or the intention to conclude such  (ii) Legitimate interests in case your employer / commissioner concluded the contract <sup>2</sup> with Parloa or intends to do so	We have a legitimate interest in efficiently and productively carrying out the contract between us and your employer / commissioner.	Contact details; professional details
2.	To facilitate payments (in case you are our contractual partner and are entitled to payments)	Performance of contract	not applicable ("n/a")	Contact details; payment details
3.	To carry out sustainability assessments with respect to our suppliers	Legitimate interests	We have a legitimate interest in ensuring that our suppliers operate sustainably.	Contact details; professional details

<sup>1</sup> This, in particular, includes processing in the context of the fulfilment of purchase orders, deliveries, or in connection with complaints and support, or responding to requests for quotations, for determining the terms of the contractual relationship.

<sup>2</sup> See previous footnote.

4.	To facilitate visits to our premises and ensure security of our premises	(i) Performance of contract in case the visit is necessary in the context of a contract between you and Parloa or the intention to conclude such  (ii) Legitimate interests	We have a legitimate interest in ensuring the security of our premises.	Contact details, professional details, information regarding visits to our premises (such as date and time)
5.	To provide you with direct marketing communication regarding products/events and/or services we offer (including via email)	Consent or – where lawful under applicable national direct marketing rules – our legitimate interests	We have a legitimate interest in marketing our products / events and/or services to our Business Partners	Contact details, consent(s) to electronic direct marketing communication (where such has been obtained)
6.	To enable corporate transactions (including sale of all or part of our asset(s) and/or activity(ies))	Legitimate interests	We may have a legitimate interest in disclosing information regarding our Business Partners to (potential) buyers or acquirers and their external counsels in certain scenarios.	Contact details; professional details, payment details
7.	To safeguard our rights	Legitimate interests	We have a legitimate interest in the establishment, exercise and defence of legal claims.	Contact details, professional details, payment details, information regarding visits to our premises, consent(s) to electronic direct marketing communication (where such has been obtained)
8.	To comply with legal obligations to which we are subject (e.g. deriving from tax law, foreign trade law or sanctions regulations)	Compliance with legal obligations	n/a	Contact details, professional details, information regarding visits to our premises, payment details, consent(s) to electronic direct marketing communication (where such has been obtained)
9.	To carry out compliance investigations	Legitimate interests	We have a legitimate interest carrying out compliance investigations to safeguard that we comply with our legal obligations.	Contact details, professional details, payment details, information regarding visits to our premises, payment details, consent(s) to electronic direct marketing communication

				(where such has been obtained)
10.	For any of the above listed purposes (except marketing) it might be necessary to transfer data to other companies of the Parloa group of companies.	(i) Performance of contract in case of a contract between you and Parloa or the intention to conclude such  (ii) Legitimate interests in case your employer / commissioner concluded the contract with Parloa or intends to do so	We, as part of the Parloa group of companies and have a legitimate interest in transferring your personal data within the group for internal administrative purposes.	See categories of personal data listed at the purposes above.
11.	To allow other companies in the Parloa group of companies to contact you for marketing purposes	(i) Legitimate interest of us and the respective recipient if applicable marketing rules do not require prior consent (e.g., if the contact is via postal letter)  (ii) Consent if applicable marketing rules require prior consent (this can be the case in some countries for electronic marketing)	Other companies in the Parloa group of companies have a legitimate interest in marketing their products and/or services in compliance with applicable marketing rules to our Business Partners and we have a legitimate interest in sharing data with them for this purpose	Contact details, consent(s) to electronic direct marketing communication (where such has been obtained)

In some cases, your personal data may be processed based on your freely given consent (Art. 6 (1) (a), Art. 7 GDPR). You will be informed about the purposes of such processing prior to being asked to give consent.

## 5 Who has access to your information (recipients)?

Only authorized Parloa employees with appropriate responsibilities have access to your personal data. In addition, we may share your personal data with the following categories of recipients:

5.1 We may share your personal data with service providers that process personal data on our behalf and subject to our instructions as so-called **processors**, for the purpose of providing their professional services to us:

- Customer relationship management system provider (European Union ("EU"), USA)

Customer support with respect to the customer relationship management system is organized in a "follow the sun" principle, i.e., generally support is provided within the EU and only if support staff is not available there, staff in jurisdictions outside the EU might be involved. Hence, in exceptional circumstances support staff located in Australia, Brazil Hong Kong, India, Singapore or Thailand could be involved in case urgent customer support is required and no staff is available in the EU. Any access to personal data in this context will be limited to what is necessary to resolve the relevant issue. If no access to personal data is required, such consequently will not be granted.

- Cloud Infrastructure & Managed Services to provide the Application and Custom Services (European Union ("EU"), USA)

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Customer support with respect to the Cloud Infrastructure & Managed Services is organized in a "follow the sun" principle, i.e., generally support is provided within the EU and only if support staff is not available there, staff in jurisdictions outside the EU might be involved. Hence, in exceptional circumstances support staff located in Australia, Brazil Hong Kong, India, Singapore or Thailand could be involved in case urgent customer support is required and no staff is available in the EU. Any access to personal data in this context will be limited to what is necessary to resolve the relevant issue. If no access to personal data is required, such consequently will not be granted.

- AI Services (European Union ("EU"), USA)

Customer support with respect to AI Services is organized in a "follow the sun" principle, i.e., generally support is provided within the EU and only if support staff is not available there, staff in jurisdictions outside the EU might be involved. Hence, in exceptional circumstances support staff located in Australia, Brazil Hong Kong, India, Singapore or Thailand could be involved in case urgent customer support is required and no staff is available in the EU. Any access to personal data in this context will be limited to what is necessary to resolve the relevant issue. If no access to personal data is required, such consequently will not be granted.

- Database for Cloud Services (European Union ("EU"), USA)

Customer support with respect to a database for Cloud Services is organized in a "follow the sun" principle, i.e., generally support is provided within the EU and only if support staff is not available there, staff in jurisdictions outside the EU might be involved. Hence, in exceptional circumstances support staff located in Australia, Brazil Hong Kong, India, Singapore or Thailand could be involved in case urgent customer support is required and no staff is available in the EU. Any access to personal data in this context will be limited to what is necessary to resolve the relevant issue. If no access to personal data is required, such consequently will not be granted.

- Email Marketing (EU)
- Orchestration of cloud-scale applications, providing monitoring of servers, databases, tools, and services, through a SaaS-based data analytics platform (European Union ("EU"), USA)

Customer support with respect to the orchestration of cloud-scale applications is organized in a "follow the sun" principle, i.e., generally support is provided within the EU and only if support staff is not available there, staff in jurisdictions outside the EU might be involved. Hence, in exceptional circumstances support staff located in Australia, Brazil Hong Kong, India, Singapore or Thailand could be involved in case urgent customer support is required and no staff is available in the EU. Any access to personal data in this context will be limited to what is necessary to resolve the relevant issue. If no access to personal data is required, such consequently will not be granted.

- Provision of telephone numbers and connection to the public telephone network (EU)
- SMS Service Provider (EU)

## 5.2 We may share your personal data with the following **third parties**:

- Other companies of the Parloa group of companies: We may share your personal data with such companies for the purposes listed in no. 4 above.

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- **Intra-group processing roles:** As part of the operational cooperation within the Parloa group of companies, Parloa GmbH may process personal data on behalf of Parloa Inc. in connection with customer-facing service delivery activities (such as implementation, support, technical services or customer success). In these scenarios, Parloa GmbH acts as a processor for Parloa Inc. and processes personal data strictly in accordance with Parloa Inc.'s instructions and applicable data protection laws. For certain administrative functions (including Finance, Legal and Compliance), Parloa GmbH and Parloa Inc. act as independent controllers. For CRM-related activities, Parloa GmbH and Parloa Inc. act as joint controllers as described in section 9 of this Notice.
  - Other third parties:
    - Tax, immigration and other state authorities (including law enforcement) and social security carriers for the purpose of compliance with laws and regulations applicable to us
    - Consultants (lawyers and auditors) for the purpose of compliance with legal obligations, in the context of corporate transactions and for safeguarding our rights
    - Courts for the purpose of safeguarding our rights
    - Potential buyers or acquirers of all or part of our asset(s) and/or activity(ies) for the purpose of corporate transactions

The legal bases relevant for the transfer of personal data to third parties can be found in no. 4 above.

## 6 Do we transfer your data internationally (third country transfers)?

Some recipients of personal data may be located outside the European Economic Area ("EEA") in countries that do not offer a level of protection equivalent to the one granted in the EEA. Where personal data is transferred to locations outside the EEA, we will, as required by law, ensure that your privacy rights are adequately protected either because the European Commission has decided that the country to which personal data are transferred ensures an adequate level of protection (Art. 45 GDPR) or the transfer is subject to appropriate safeguards provided by entering into standard data protection clauses of the European Union with the recipient (Art. 46 GDPR) unless GDPR provides for an exception (Art. 49 GDPR). In addition to this, we intend to, where necessary, agree on additional measures with recipients to ensure an adequate level of data protection.

If the European Commission has not recognized the country to which personal data are transferred as providing an adequate level of protection, the standard contractual clauses of the European Commission (from the implementing decision (EU) 2021/914 of 4 June 2021) are regularly the basis for the transfer. Where the transfer in this context is made to a service provider acting as a processor for us, Module Two (transfer from controller to processor) of the standard contractual clauses is relevant; where the transfer is made to third parties, Module One (transfer from controller to controller) is relevant. In case the transfers are carried out by a service provider, which we have engaged as a processor, to a sub-processor, Module Three (transfer from processor to processor) may be implemented to govern such transfers.

Our customer management provider in the US, our provider for orchestration of cloud-scale applications, the provider for a database for Cloud Services, as well as our provider for Cloud Infrastructure & Managed Services are certified under the Data Privacy Framework (DPF); transfers to this provider consequently are covered by an adequacy decision of the European Commission.

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In addition, certain personal data may be shared between Parloa GmbH and Parloa Inc. as part of intra-group operations, including customer project delivery, shared administrative functions (e.g. Finance, Legal, Compliance) and internal support processes. As Parloa continues to grow, operational responsibilities and the allocation of data management tasks may evolve between the entities. These transfers are governed by internal policies, role-based access controls and, where applicable, the EU Standard Contractual Clauses.

Copies of appropriate safeguards (to the extent we rely on such) can be requested at [privacy@parloa.com](mailto:privacy@parloa.com). Please note that such copy may be redacted to the extent necessary to protect business secrets or other confidential information.

## 7 How long do we store your data?

Your personal data will generally only be stored until the personal data are no longer necessary in relation to the purposes for which they were collected (or otherwise processed). The personal data therefore generally will be deleted at the latest after the contractual relationship with you or your employer / commissioner has ended and the standard statute of limitations period applicable to that information in the respective country has expired.

As an exception, personal data may be stored longer where their processing is necessary for compliance with a legal obligation – including compliance with statutory retention periods – to which we are subject or for the establishment, exercise or defence of legal claims.

Additional information on the storage duration related to personal data processed by us and other companies of the Parloa group of companies as joint controllers for the purpose of customer relationship management can be found in no. 9.3.

## 8 What rights do you have under GDPR?

8.1 Right of access. You may request information about the processing of your personal data and a copy of the personal data undergoing processing insofar as such copy does not adversely affect the rights and freedoms of others. If the request is made by electronic means the information will be provided in a commonly used electronic format if you do not request otherwise.

8.2 Right to rectification. You may request at any time the correction of your personal data that is inaccurate and/or completion of such data which is incomplete.

8.3 Right to erasure. You may request deletion of your personal data, in particular where (i) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, (ii) you objected to the processing and there are no overriding legitimate interests for the processing, (iii) your personal data has been unlawfully processed or (iv) your personal data has to be erased for compliance with a legal obligation to which we are subject. The right to deletion, however, does not apply in particular where the processing of your personal data is necessary for compliance with a legal obligation or for the establishment, exercise or defence of legal claims.

8.4 Restriction of processing. You may request restriction of processing (i) for the period in which we verify the accuracy of your personal data if you contested the accuracy of the personal data, (ii) where the processing is unlawful and you request restriction of processing instead of deletion of the data, (iii) where we no longer need the personal data, but you require the data for the establishment, exercise or defence of legal claims or (iv) if you objected to processing until it has been verified whether our legitimate grounds override

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your interests, rights and freedoms. If the processing of your Personal Data has been restricted, we may only, besides storing the data, process your personal data with your consent, in order to establish, exercise or defend legal claims or to defend rights of others.

- 8.5 Right to data portability. You may request to receive your personal data, which you have provided to us, in a structured, commonly used machine-readable format and transmit those data to another controller without hindrance from us, where the processing is based on consent or a contract and the processing is carried out by automated means; in these cases you may also request to have the personal data transmitted directly to another controller where this is technically feasible (data portability).
- 8.6 Right to withdraw consent. You may withdraw their consent at any time for the future where processing is based on your consent, without affecting the lawfulness of processing based on consent before its withdrawal.
- 8.7 Right to object.

**Right to object**

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 our or a third party's legitimate interests.

We then will no longer process your personal data for the purpose to which you have objected unless we are able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

Where we process your personal data for **direct marketing purposes**, you have the right to object at any time to processing of your personal data for such direct marketing. We then will no longer process your personal data for direct marketing purposes.

- 8.8 Right to lodge a complaint. You may lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of an alleged infringement if you consider that the processing of your personal data infringes applicable law.

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Please address your requests to exercise your rights to [privacy@parloa.com](mailto:privacy@parloa.com) (with the exception of the right to lodge a complaint with a supervisory authority).

## 9 What are the details regarding processing of personal data under joint control?

- 9.1 We and the company/ies listed in no. 9.6 below ("**Joint Controllers**") jointly process personal data of customers and prospective customers (if the customer is a human being) and contacts at customers and prospective customers (if the customer is a company or similar body) for the purpose of customer relationship management, including management of customers and prospective customers and marketing activities towards customers and prospective customers.
- 9.2 We may share your contact details, professional details and consent (see no. 3) with the other Joint Controllers for the purpose of customer relationship management.

Our legal basis for sharing such data with the other Joint Controllers and with respect to their subsequent processing of the data for said purpose generally is our and the other Joint Controller's legitimate interest (Art. 6 (1) (f) GDPR) in centrally managing

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customers and prospective customers as well as marketing products/services to customers and prospective customers. Deviating from this, the legal basis in the context of electronic direct marketing communication is your consent (Art. 6 (1) (a), Art. 7 GDPR) where required under applicable national direct marketing rules and where such consent has been obtained from you.

- 9.3 With respect to contacts at customers or prospective customers, personal data processed as described in this no. 9 generally will be deleted or corrected if there is a change in the contact's status (e.g., change of employer).

With respect to electronic direct marketing activities that require consent, personal data of customers and prospective customers which have provided such consent generally will be deleted after the consent has been withdrawn (with the exception of the documentation regarding the provision of consent, which will be kept until the standard statute of limitations period applicable to that information in the respective country has expired).

With respect to customer relationship management activities that do not require consent, personal data of prospective customers and customers generally will be deleted after the recipient has objected to such use (with the exception of the documentation regarding the objection, which will be kept as long as the relevant Joint Controller engages in marketing activities not requiring consent).

As an exception, personal data may be stored longer where their processing is necessary for compliance with a legal obligation – including compliance with statutory retention periods – to which the relevant Joint Controller is subject or for the establishment, exercise or defence of legal claims.

- 9.4 You have the rights as described in no. 8 above. Please contact [privacy@parloa.com](mailto:privacy@parloa.com) if you would like to exercise your rights towards us or one of the other Joint Controllers (with the exception of the right to lodge a complaint with a supervisory authority).

Alternatively, you can also contact the other Joint Controllers via the email address indicated in no. 9.6 below.

- 9.5 The Joint Controllers have determined their responsibilities for compliance with the obligations under GDPR by means of an arrangement between them ("**JC Arrangement**").

Under the JC, Parloa is responsible for

- handling and fulfilling requests related to the rights described in no. 8 above;
- determining appropriate security measures to protect personal data as well as documenting, reviewing and updating these measures as necessary;
- involvement and audit of processors and sub-processors in accordance with GDPR requirements;
- maintaining records of the processing activities (i.e., a list detailing the processing activities) carried out under joint control;
- notifying the competent data protection authority and affected natural persons (living human beings) about data breaches where required under GDPR; and
- carrying out data protection impact assessments (DPIAs) (if a processing activity potentially carries a high risk for data subjects) and transfer impact assessments (TIAs) (to assess whether an adequate level of data protection is safeguarded in relation to international transfers) where required under GDPR.

Under the JC, every Joint Controller is responsible for

- informing persons, whose personal data is processed for the purpose of customer relationship management by the Joint Controllers, about the processing of their

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personal data by the Joint Controllers in accordance with information obligations under GDPR and making available the essence of the JC Arrangement to these persons;

- designating a data protection officer (where required under GDPR or national law supplementing the GDPR, such as the BDSG) respectively of a contact person for data protection; and
- ensuring compliance with the GDPR requirements for transfers to countries outside the EEA (in particular, ensuring that a transfer mechanism justifying the transfer is in place).

9.6 List of other Joint Controllers:

<b>Name (Joint Controller)</b>	<b>Address and contact details (Joint Controller)</b>	<b>Contact details of data protection officer or privacy contact</b>	<b>Contact details of EU representative</b>
Parloa GmbH	Schönhauser Allee 9, 10119 Berlin Germany	Frank Trautwein, Fresh Compliance GmbH Fürbringerstr. 15 10961 Berlin, privacy@parloa.com	N/A
Parloa Inc.	c/o Reiss+Colleagues P.C. 420 Lexington Avenue, Suite 2818 New York, NY 10170	Frank Trautwein, Fresh Compliance GmbH Fürbringerstr. 15 10961 Berlin, privacy@parloa.com	N/A

10 **Changes to this Notice**

We reserve the right to amend or modify this Notice at any time to ensure compliance with applicable laws. Please check regularly whether this Notice has been updated. We will notify you in case there are substantial changes to this Notice that affect you.

This Notice has been updated last in January 2024.