



# uniFLOW Online Customer Contract

NT-Ware Privacy Policy

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## NT-Ware Privacy Policy

### PRIVACY POLICY-SUMMARY

NT-ware Systemprogrammierungs-GmbH ("NT-ware") and its subsidiaries respect your preferences concerning the collection, treatment and use of your Personal Information. The following privacy policy is tailored for the different ways your Personal Information is collected by different NT-ware lines of business and offerings including at our web sites and in off-line sales and marketing activities, consulting, product support, outsourcing and other services.

### Why we collect Personal Information

NT-ware collects, processes and uses Personal Information from Visitors and Customers via interactive tools and forms located on NT-ware's Websites in order to offer you even better products and services, best adapt our business processes to your needs and steer you to the most suitable product information. NT-ware does not collect, store, or use any Personal Information without an individual's prior consent. NT-ware only collects, stores, and uses Personal Information in accordance with this policy.

### How we may collect Personal Information:

- If you visit any of our Websites and directly interact with us;
- If you create an online profile and register with us or one of our partner for our services and/or products;
- If you purchase products or services from us;
- During automated interactions;
- NT-ware's interactive forms and tools include, but are not limited to Registration and Contact Us pages, queries via emails, via our ITS support system.
- Via publicly available data.

### PRIVACY POLICY

We respect your preferences regarding the treatment of Personal Information we may collect. This policy explains how and why we may collect, store and use your Personal information and how you can control its use.

#### 1. DEFINITIONS

- "Visitor" or "you" means any individual or entity who visits NT-ware's Websites, whether they are a Customer or not.
- "Customer" means an individual who is a client of NT-ware.
- "Data Controller" means a party or entity that determines the purposes and means of processing of Personal Information. A company functions as a Data Controller when it decides how such data is to be used and uses it accordingly.
- "Data Processor" means a party or entity that processes Personal Information on behalf of a Data Controller. With respect to Personal Information, processing includes collecting, recording, organizing, storing, adapting or altering, retrieving, consulting, using, disclosing by transmission,

dissemination or otherwise making available, aligning or combining, blocking, erasing or destroying the information.

- “Personal Information” means any information or set of information that identifies or could be used by or on behalf of NT-ware to identify an individual. Personal Information does not include information that is encoded or anonymized, or publicly available information that has not been combined with non-public Personal Information.
- “NT-ware” “We”, “us” or “the company” refers to NT-WARE Systemprogrammierungs-GmbH at Niedersachsenstraße 6, Bad Iburg, Germany, 49186 and its subsidiaries.
- “Websites” means NT-ware’s websites at [www.nt-ware.com](http://www.nt-ware.com) or any other website made available by us.

## 2. INFORMATION WE COLLECT AND WHY

### A. PERSONAL INFORMATION

NT-ware collects processes, and uses Personal Information from Visitors and Customers via interactive tools and forms located on NT-ware’s Websites in order to offer you even better products and services, best adapt our business processes to your needs, and steer you to the most suitable product information. NT-ware’s interactive forms and tools include, but are not limited to Registration and Contact Us pages, queries via emails, via our ITS support system.

#### **Personal Information that may be collected by NT-ware includes the following:**

- individual names; company names;
- telephone and fax number email address,
- reasons for contacting NT-ware;
- information regarding Visitors, Customers, and their companies;
- product and service preferences; service orders and maintenance requests; and
- other information relevant to conducting business with NT-ware or becoming a customer of NT-ware.

Personal Information is not collected from individuals unless they consent to provide such information to NT-ware. However, if a Visitor arrives at NT-ware’s Websites via a search engine, referral tool or forum, certain Personal Information may be transmitted to NT-ware by a third party. NT-ware will use and store that information, if any is received, in accordance with this policy.

#### **Personal Information may be used by NT-ware to:**

- personalize a Visitor’s experience on the Websites,
- engage in and process transactions with you;
- provide and improve the services and products we offer to you;
- promote sales and product promotions with its partners to provide support or other services you have ordered, as well as product updates, product patches and fixes and other similar operational communications;
- respond to your requests, to interact with you, post testimonials, or case studies, administer products downloads and monitor licensing compliance;
- diagnose problems with a Customer’s hosting environment, provide access to secure areas of this Websites,

- interact with third parties as it is necessary to provide you services; when we share Personal Information with third party service providers, we require that they use your Personal Information only for the purpose of providing services to us;
- inform you about conferences and events we or our partners organize and we feel may be of interest to you; and
- protect the health and safety of our employees and visitors, our physical and online operations, our property, rights, and privacy, and/or that of our affiliates, you or others.

In addition, we may disclose your Personal Information as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; and (e) to allow us to pursue available remedies or limit the damages that we may sustain. Additionally, in the event of a reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings), we may transfer the Personal Information we have collected to the relevant third party.

NT-ware will retain your Personal Information for:

- as long as your account is active (if you have created one);
- as needed to provide you with our products or services;
- as needed for the purposes outlined in this policy or at the time of collection;
- as necessary to comply with our legal obligations and in accordance with legal requirements (e.g., to honor opt-outs),
- resolve disputes, and enforce our agreements; or
- to the extent permitted by law.

## B. OTHER INFORMATION

NT-ware may also collect standard information from Visitors using automated tools. These automated tools collect information such as a Visitor's browser type and language, Internet service provider, Internet protocol (IP) address, access dates and times, Web pages viewed, search information, and other similar statistics. The automated tools used by NT-ware to collect this information include, without limitation, Web beacons, cookies, embedded Web links and other commonly used information-gathering tools.

- **A Web beacon** is an invisible file located on a Web page that is used to track a visitor's navigation and performance of a Website. The Web beacon may communicate with your computer to determine, among other things, whether you have been to a page on NT-ware's Websites before or viewed a particular online advertisement.
- **A cookie** is a small data file saved on your computer by a Website that you visit. NT-ware uses cookies to identify return visitors to its Websites. You can set your browser to warn you before accepting cookies, and you can choose to refuse cookies by turning them off in your browser. You do not need to enable cookies in your browser to visit NT-ware's Websites, except in some cases where cookies are used as an essential security feature necessary for transaction completion. Cookies, however, are important to the proper functioning of the Websites and disabling them may degrade your experience and interfere with Websites features and

customizations. Please click on the link "**Cookies**" on the footer of our Websites for more information on the cookies we use.

- **An embedded link** is a link to a Web page that may be located in an email you receive from NT-ware. If you click on an embedded link, NT-ware may collect information about the interaction that follows, and this information could be connected to your identity. If you do not want NT-ware to collect information about the links you click, you can choose not to click links in an email from NT-ware.

### 3. EXTERNAL LINKS AND SOCIAL PLUG-INS

NT-ware's Websites may include links to external Websites. Among other things, these links may lead you to white papers, reference articles, agency or authority websites, press releases, customer websites, and the websites of NT-ware's preferred vendors. NT-ware does not transmit any Visitor information to these sites. NT-ware has no control or authority over the privacy policies of any third parties. Visitors should read the privacy policy of any externally linked websites for more information.

Our Websites use social plugins ("plugins") from social networking sites such as Twitter, Facebook etc.

If you access an NT-ware website using such a plugin, your browser will contact the server of the underlying social networking site, load the visual presentation of the plugin, and present it to you. While this is happening, the social networking site receives information concerning your visit to our website, as well as further data such as your IP address.

We have no influence on the amount of data that social networking sites collect via an active plugin. For more information, please consult the relevant data privacy notice:

Facebook: <https://www.facebook.com/policy.php>

Google+: <https://www.google.com/policies/privacy/>

LinkedIn: [www.linkedin.com/legal/privacy-policy](http://www.linkedin.com/legal/privacy-policy)

Twitter: [twitter.com/privacy](https://twitter.com/privacy)

YouTube: [www.youtube.com/static?template=privacy\\_guidelines&gl=GB](http://www.youtube.com/static?template=privacy_guidelines&gl=GB)

### 4. DISCLOSING THE INFORMATION WE COLLECT

Except as otherwise provided in this privacy statement, Personal Information is for internal use and will not be communicated to a third party. Notwithstanding the foregoing, NT-ware may disclose Personal Information under the following circumstances:

- with your consent;
- if NT-ware or substantially all of its assets are acquired, customer information will be one of the transferred assets;
- to comply with the law; to enforce or apply NT-ware's acceptable use policy and other agreements; or to protect the rights, property, or safety of NT-ware, our Customers, or others. This includes exchanging information with other companies and organizations for fraud protection and credit risk reduction.

If NT-ware otherwise desires to transfer information about you to third parties, you will first receive notice and the information will not be transferred without your prior consent.

## **5. ACCESS, INQUIRIES AND REVIEW**

NT-ware will answer questions regarding all Personal Information that we have collected. Upon request, NT-ware will ensure that Personal Information is corrected, amended or deleted.

You may request that we correct, delete, or restrict the use of your information by contacting NT-ware in writing via email at [info@nt-ware.com](mailto:info@nt-ware.com), or via mail or nationally recognized courier at:

Attn: Data Security Department

NT-WARE Systemprogrammierungs GmbH

Niedersachsenstraße 6, 49186 Bad Iburg

Germany

## **6. MINORS**

NT-ware does not knowingly collect information from or about persons under 18 years of age.

## **7. SENSITIVE INFORMATION**

NT-ware does not collect Personal Information that reveals race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, views or activities, that concerns health or sex life, information about social security benefits, or information on criminal or administrative proceedings and sanctions other than in the context of pending proceedings.

## **8. NT-WARE AS A DATA PROCESSOR**

NT-ware acts only as a Data Processor with respect to Personal Information that is collected, stored or used by its Customers. NT-ware's sole function is to provide the limited technical support needed to run Customers' systems on NT-ware's servers for the benefit of those Customers. NT-ware will process the data only in accordance with instructions from each Customer and to provide an appropriate level of security for the data. The Customer and Visitor is the Data Controller in the European Union remains responsible for it vis-à-vis each respective individual in accordance with the relevant EU provisions.

Since NT-ware is a service provider acting as a Data Processor to its Customers (i.e., by providing network, security and hardware infrastructure), this Privacy Policy does not cover Customer transactions or obligations within their networks. NT-ware does not have the authority to access or use the Personal Information in these systems. Customers are responsible for following all necessary legal, corporate and ethical guidelines within their environments and NT-ware cannot be held responsible for how clients use information received over their networks or transmitted over NT-ware's network.

## 9. NT-WARE AS A DATA CONTROLLER

NT-ware only collects Personal Information from individuals in the European Union on an at-will basis.

Where NT-ware collects Personal Information directly from individuals in the European Union, before collecting the information it will inform them about the purposes for such collection, the types of non-agent third parties to which NT-ware discloses that information, the choices and means, if any, NT-ware offers individuals for limiting the use and disclosure of their Personal Information, and how to contact NT-ware. Notice will be provided in clear and conspicuous language when individuals are first asked to provide Personal Information, or as soon thereafter as possible. In no event will NT-ware use or disclose such information for a purpose other than that for which it was originally collected.

NT-ware collects Personal Information from Visitors who opt to provide the information to NT-ware on its Websites, meaning that NT-ware does not collect Personal Information without first obtaining the individual's consent. NT-ware will not proceed to collect data without the express ("opt-in") consent of the individual. Moreover, NT-ware adheres to this Privacy Policy with respect to all such information.

## 10. SECURITY

The security of your Personal Information is very important to us. We use physical, electronic, and administrative safeguards that are designed to protect your Personal Information from loss, misuse and unauthorized access, disclosure, alteration and destruction. We also carry out employee training, periodic reviews, assessment and implementation of new (or applicable) technologies and purging of data, encryption, firewalls and restrictions on access. In addition, all personal data is located in data center facilities with security features in accordance with legal requirements. All data is safeguarded to established security standards. Due to the nature of the Internet, however, NT-ware cannot guarantee the security of personal data.

In the event that your Personal Information is acquired, or is reasonably believed to have been acquired, by an unauthorized person and applicable law requires notification, we will notify you by e-mail, fax, or mail. NT-ware will give you notice promptly, consistent with the reasonable needs of law enforcement and/or NT-ware to determine the scope of the breach and to investigate and restore the integrity of the data system.

## 11. ENFORCEMENT

NT-ware reviews and updates this Privacy Policy periodically. We also perform periodic audits to ensure that our processes adhere to this policy. Individuals with complaints or inquiries should contact us via email at [info@nt-ware.com](mailto:info@nt-ware.com) or at the physical address set forth above in section 5 of this Privacy Policy. If a query or investigation is opened, NT-ware will make all reasonable attempts to resolve the issue within the scope of this Privacy Policy.

Employees or contractors who violate the terms of this Privacy Policy may be subject to disciplinary consequences up to and including termination of employment or termination or non-renewal of contract, in addition to any other legal measures that may be taken by NT-ware, its clients, or the affected individuals and their representatives.

## 12. LIMITATIONS

NT-ware is not responsible for how our Customers handle Personal Information. This policy is limited by applicable legal, regulatory, ethical, or public interest consideration, and as expressly permitted or required by any applicable law, rule, or regulation. In addition, NT-ware reserves the right to disclose Personal Information reasonably related to the sale or disposition of all or part of its business.

## 13. CHANGES

This Privacy Policy may be amended from time to time. You should check the Websites frequently for changes to this Privacy Policy.

This policy has been updated as of 05.07 2016

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