

Privacy Policy for BaseCase Interactive

BaseCase Management GmbH (hereinafter referred to as "BaseCase") processes data from users of the BaseCase platform and in the course of rendering its services. This Privacy Policy refers solely to the use of BaseCase's product, the BaseCase online platform (hereinafter referred to as "platform").

If you are interested in how we process personal data on our company website, please visit the [privacy policy of our website](#).

Below we provide you with details about the way your personal data are processed:

A. Contact

The personal contact and so-called Controller for the processing of your personal data under the terms of the EU General Data Protection Regulation (GDPR) when you visit the platform is

BaseCase Management GmbH
Charlottenstr. 16
10117 Berlin
Germany

Phone +49 30 2014 364 0
Fax +49 30 577 05 67 19
Email info@basecase.com

For all questions about matters of data protection in connection with the use of our platform you can also contact our Data Protection Officer at any time. He can be reached under the above postal address and under the e-mail address given above (mark your communication: "FOA Data Protection Officer").

B. What personal data is collected and for what purpose?

1. Use of our platform – system logging

Every time our platform is used, we collect the access data which your browser automatically transmits to make your visit to the platform possible. The following data is collected automatically every time you access our platform:

- Date and time of access
- Name of the requested file or object
- Website that has been requested from the file

- Access status (e.g., file transfer, file not found)
- The internet browser you are using and the operating system of your device
- The IP address of the requesting device

The processing of these access data is necessary in order to make the visit to the platform possible and to ensure the permanent functionality, auditability and security of our systems. The access data are in addition saved for the foregoing purposes in internal logfiles, in order to develop our platform further with regard to the usage patterns of our visitors (e.g. if the proportion of mobile devices on which the pages are called up rises) and in order to administer our platform in a general way. Log entries are deleted after one year. The legal basis is Art. 6, para. 1, lit. b GDPR.

2. Customer Data

In addition, BaseCase processes personal data, provided to it in connection with the initial business contact or in connection with existing customer relations and which is necessary to establish or maintain a customer relationship, a business contact or for rendering the services offered by BaseCase. This includes the user's full name, e-mail address, telephone and fax numbers, address, IP address, the name of the client company, the user's position within the client company, the industry sector in which the client company operates, and the usage of apps. The information can be entered via the website – e.g. the contact form to become a BaseCase Partner – by e-mail or transmitted in some other way. The legal basis is Art. 6, para. 1, lit. b GDPR.

For providing its services BaseCase requires at least the first name, the last name and the e-mail address of everyone a client company has authorized to have access (users). The person designated by the client company as the administrator of the customer's access shall compile a list of all authorized users for BaseCase. The legal basis is Art. 6, para. 1, lit. b GDPR.

The client company shall ensure, and BaseCase accepts no responsibility, that the client company is authorized by the users to provide BaseCase with their personal data.

3. Analytics Data

Analytics are based upon the tracking of individual users. Users explicitly ‘opt-in’ to this tracking, and can revoke this permission at any time. If they would like their account and all tracking data to be removed, they can simply send a request by email to either support@basecase.com, or to a duly appointed ‘administrator’ within their organization.

Analytics data can be reviewed by BaseCase (for debugging, performance and compliance reasons) and by duly appointed ‘administrators’ or ‘analysts’ within the user’s organization. The legal basis is Art. 6, para. 1, lit. a GDPR.

Users that wish to fully opt-out of the processing of their data pursuant to this Privacy Policy, can opt-out of tracking from within their account settings page. Note that to participate in tracking, a user must opt-in during the registration process.

4. Company Data

BaseCase is a SaaS (Software-as-a-Service) provider. When using the services offered by BaseCase (software and server capacity) additional company and business data is transferred to BaseCase (e.g. pictures or description of products) that is not protected under data protection laws.

BaseCase warrants that the client company's company data processed on the servers provided will be viewed by BaseCase employees only upon the client company's express wish, e.g. in connection with support requests. BaseCase shall not analyse or use the company data transmitted for its own purposes provided this is not necessary for performing the contract with the respective client company.

5. Newsletter

BaseCase shall, upon request, regularly inform its customers and their employees as well as other interested parties (the recipients) in its newsletter of improvements, extensions or changes to the services offered. Subscription to the newsletter requires that the recipient states his/her e-mail address and that consent to the sending of the newsletter is given in advance. Should you confirm your e-mail address, we shall store your e-mail address, the time of registration and the IP address used for the registration for such time until you cancel the newsletter. This storage serves only the purpose of sending you the newsletter and being able to provide your registration. **Every recipient can object to having the Newsletter sent at any time by e-mail to unsubscribe@basecase.com. Additionally, an opt-out link is integrated into the footer of every Newsletter.** You will not incur any costs – beyond the cost of your internet access – by subscribing to the Newsletter or by objecting to having it sent. The legal basis is Article 6, para. 1, lit. a GDPR.

C. Insertion of our own cookies

For a part of our service it is necessary for us to insert cookies. A cookie is a small text file which is saved by your browser on your device. Cookies are not inserted to execute programs or to load viruses into your computer. Instead the main purpose of cookies is to provide a product or service especially tailored to yourself and to make use of our services as time-saving as possible.

We use our own cookies in particular to:

- Maintain your ‘session’ – that is a secure token recording that you have logged into the platform, along with some data associated with your account
- Data regarding the version of the BaseCase platform you are using (build number, branding, etc)
- Unique identifier for your browser / client, to allow for certain technical operations (such as copy-paste) that are otherwise not supported on all browsers / clients.
- Some ‘user interface’ (UI) state, so that when you revisit a page on the platform, the platform ‘remembers’ what to show you
- Some system status, such as whether you are in offline mode or not

In this way we wish to enable you to use our platform in a convenient and individual way. These services are based on our foregoing legitimate interest, and the legal basis is Art. 6, para. 1, lit. f GDPR.

D. Further transmission of data

We store personal data only for as long as is necessary to fulfil contractual or statutory duties for which the data were collected. We then erase the data immediately, unless we still need these data.

Data which we have collected are passed on only if:

- You have given an express declaration of consent for this, pursuant to Art. 6, para. 1, lit. a GDPR,
- Further transmission is necessary, pursuant to Art. 6, para. 1, lit. f GDPR, for bringing, exercising or defending legal claims, and no reason exists to suppose that you have a predominant and properly protected interest in preventing your data from being passed on,
- We have a legal duty to pass on your data pursuant to Art. 6, para. 1, lit. c GDPR, or
- This is legally permissible and requisite, pursuant to Art. 6, para. 1, lit. b GDPR, for the handling of contracts with yourself or for the execution of precontractual actions which are being carried out at your request.

BaseCase's servers are currently in the USA and are operated by SoftLayer Technologies, Inc. 4849 Alpha Road, Dallas, TX 75244, USA (“SoftLayer”). All of the data more particularly described under B – personal data and company-related data – is processed and stored solely, or at least inter alia, on SoftLayer Technologies' servers. SoftLayer Technologies' server centres hold the SOC 2 certification (for more information please see Basecase’s [Data Sheet Security](#)).

BaseCase also has a branch office in New York (BaseCase, Inc., 41 East 11th Street, 11th Floor, New York, NY 10003, USA), which likewise has access to the data provided to BaseCase and likewise collects and processes said data solely in accordance with this Privacy Policy.

BaseCase shall pass on analytics data (see above, B, 3) to the client company for their continual optimisation of their apps.

A part of the data processing can be handled via service providers. Along with the service providers stated in this Privacy Policy, these may include in particular other computer centres, IT service providers which maintain our systems, and consultancy firms. BaseCase undertakes to ensure that all third-party companies commissioned to process or store the data provided to BaseCase, whether currently or in future, use computer centres certified under SOC 2 (or equivalent) or ISO/IEC 27001 for this purpose. The data is transmitted from BaseCase to the computer centres in the USA and data is entered through the user account using an encrypted connection certified by VeriSign and a 64-256 bit SSL encryption. If you or your employees contact us by e-mail, this is not encrypted by default and can therefore in theory be viewed by others because it is transmitted via the Internet. **BaseCase assumes that you are in agreement with e-mail communication being non-encrypted. However, you have the possibility of objecting to non-encrypted e-mail correspondence in advance.**

Should we pass data on to our service providers, these data may only be used for performance of their tasks. We select and commission these service providers carefully. They are bound contractually to follow our instructions, have suitable technical and organisational measures for the protection of the rights of data subjects, and are monitored by ourselves on a regular basis.

Further transmission may also be made in connection with requests by government authorities, decisions of the courts and legal proceedings if it is necessary for prosecution or execution at law.

E. Duration of storage

We store personal data only for as long as is necessary to fulfil contractual or statutory duties for which the data were collected. We then erase the data immediately, unless we still need these data until expiry of the statutory period of limitation for purposes of evidence in civil claims or due to statutory duties of storage. If you would like a copy of our Records Retention Schedule, please contact us at the address above.

For purposes of evidence we must still store contact data for three years from the end of the year in which business relations with you end. Any claims will expire, under the normal statutory period of limitation, no earlier than at this time.

Thereafter we must also store some of your data for purposes of book-keeping. We have an obligation to do so under statutory duties of documentation which may arise under the German Commercial Code, the German Tax Code, the German Credit and Loans Act, and the German Money Laundering Act. The periods stipulated there for storage of documents are two to ten years.

F. Your rights

You have the right at any time to require us to provide information about the processing of your personal data (right of access). When providing you with this information we shall explain the data processing and supply an overview of the data relating to your person which are stored. Should data stored with us be inaccurate or no longer up-to-date, you enjoy the right to have these data corrected (right to rectification). You can also require the erasure of your data (right to erasure or right to be forgotten). Should the erasure exceptionally not be possible due to other legal regulations, the data processing will be restricted, so that in future they are only available for this statutory purpose. You can also have the processing of your data restricted, i.e. if you believe that the data which we have saved are not correct (right to restriction of processing). You also have the right of data portability, i.e. that we send you on request a digital copy of the personal data which you have provided (right to data portability).

To exercise your rights as set out here, you can communicate with the foregoing contact details at any time. This also applies should you wish to receive copies of guarantees for certification of an adequate data-protection level.

You also have the right to object to the data processing based on Art. 6, para., lit. e or f GDPR. Finally, you have the right to complain to the regulatory authority to which we are subject. You can exercise this right at a regulatory authority in the member country of your place of residence, of your workplace, or of the place of alleged breach. In Berlin where BaseCase is located the competent regulatory authority is: Data Protection and Freedom of Information Officer, Friedrichstrasse 219, 10969 Berlin.

G. Right of revocation and objection

Under Article 7, para. 3 of the GDPR you have the right at any time to withdraw to us any consent which has once been given. This will have as a consequence that in future we no longer continue the data processing based on this consent. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Insofar as we process your data on the basis of legitimate interests under Art. 6, para. 1, lit. f GDPR, you have the right under Art. 21 GDPR to object to the processing of your data and to mention grounds relating to your particular situation that in your opinion speak in favour of prevailing legitimate interests. Where personal data are processed for direct marketing purposes, you have a general right of objection which will also be implemented by us without your stating reasons.

If you wish to make use of your right to withdraw or object, a notification without set form to the contact details above will be sufficient.

H. Security Standard

BaseCase is aware of the fact that the data, which customers process, or have processed, on BaseCase's servers when using BaseCase's services, are sensitive and are of considerable importance to the client company. The data is not only treated as strictly confidential in accordance with the above Privacy Policy, but BaseCase also renders its services at a high level of security both in terms of availability as well as with regard to the integrity and security of your data. For further information see Basecase's [Data Sheet Security](#).

I. Amendments to Privacy Policy

We occasionally update this Privacy Policy, for instance when we revise our platform or statutory or official regulations change.

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