



## PRIVACY POLICY (WEBSITE) V.01 – January 2023 – EN

# PRIVACY POLICY

**Last update: January 30th, 2023**

## PREAMBLE

**L'EMPREINTE**, a French simplified joint-stock company (*Société par actions simplifiée*), registered in the METZ Trade and Companies Register under the number 901 680 850, having its registered office at 11 Rempart Saint-Thiébauld - 57000 METZ, France (hereafter "**L'EMPREINTE**" or the "**Provider**") edits and provides a website available at <https://peftrust.com/> (hereafter the "**Website**").

L'EMPREINTE uses the Website to present and promote its SaaS solution which enables the apparel and footwear companies to assess the environmental footprint of their products and assists them in their compliance with environmental laws and regulations applicable in France (hereafter the "**Solution**").

L'EMPREINTE collects and processes Personal Data of internet users, prospects and/or customers when they visit and/or use the Website.

L'EMPREINTE makes every effort to ensure in all circumstance that Personal Data is collected and processed with respect for privacy, in accordance with the Data Protection Laws as defined below.

This Privacy Policy is therefore intended to inform the Users about how their personal information may be collected and processed by L'EMPREINTE when they visit and use the Website.

Respect for privacy and personal data is a priority for L'EMPREINTE, which is committed to processing its Users' Personal Data in strict compliance with the French Law No 78-17 on Information Technology, Data Files and Civil Liberties (known as "**Loi Informatique & Libertés**", or "**LIL**") in its last applicable version and the EU General Data Protection Regulation of April 27, 2016 (hereinafter the "**GDPR**").

Under all circumstances, L'EMPREINTE complies with these two basic principles:

- Users remain in control of their Personal Data;
- Personal Data will be processed in a secure manner with transparency and confidentiality, by taking the appropriate technical and organizational measures.

### **More Information**

#### **What is personal data?**

*« Personal data », means any information relating to the Users and that allows to identify them, directly or indirectly. Name, surname or a photo for instance can allow to identify the User directly. An email address enables to identify the User indirectly.*

#### **What is processing?**



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« Processing » means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means (collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction).

### 1. DATA CONTROLLER

The Website is provided by **L'EMPREINTE**.

The provision of the Website requires the processing of Personal Data for different purposes and the Provider is subject to different status, according to the relevant data processing operations.

This Privacy Policy only applies to data processing carried out by L'EMPREINTE as data controller in the context of editing and publishing the Website, for the following purposes, including:

- Creation and management of the User's Account on the Website;
- The good functioning and performance of the Website;
- Ensuring the security and confidentiality of the Website;
- Providing information to the User;
- Providing assistance and support following any issues encountered by the User on the Website;
- Sending newsletters, information regarding updates, and commercial offers to the User;
- Managing the requests to exercise their rights under the Data Protection Laws;
- Handling and preventing litigation.

The Provider may also process Personal Data to comply with its legal obligations where applicable.

#### **More Information**

According to the Data Protection Laws, the **Data Controller, or Controller**, is the legal person who determines the purposes and means of the processing of Personal Data.

Where two or more controllers jointly determine the purposes and means of the processing, they are **joint controllers**.

The **Data Processor, or Processor**, processes personal data on behalf of the controller (only on documented instructions from the Controller) and acts under the Controller's authority.



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### 2. A FEW DEFINITIONS

Capitalized terms within this Privacy Policy shall have the following meaning:

- a. **“Account”**: means an account enabling the User to access its dedicated, personal, environment on the Website.
- b. **“Data Protection Laws”**: means any law, legal act or regulation in force and applicable to personal data processing carried out during the provision of the Website and associated services, especially the Regulation (EU) 2016/679 on the processing of personal data (the **“GDPR”**), the French Law No 78-17 on Information Technology, Data Files and Civil Liberties (the **“Loi Informatique et Libertés”**, or **“LIL”**) and any other law or regulation that would modify or replace them, decrees and orders issued for their application, as well as relevant deliberations, decisions, opinions and guidelines that have been or will be adopted by the competent authorities.
- c. **“Personal Data”**: means any information relating to an identified or identifiable person.
- d. **“Provider”** or **“L’EMPREINTE”**: means L’EMPREINTE, a *“société par actions simplifiée”* (simplified joint-stock company) registered in the Metz Trade and Companies Register under number 901 680 850, and which provides the Solution and associated services.
- e. **“Solution”**: means the SaaS (Software as a Service) **Peftrust® Solution**, as developed and provided by L’EMPREINTE, which enables consumer companies (apparel, footwear, etc.) to obtain environmental information and scoring for their products.
- f. **“Users”**: means any person visiting and/or using the Website.
- g. **“User Data”**: means all data or information provided by the User, directly or indirectly, when visiting and/or using the Website. User Data include the User’s Personal Data.
- h. **“Website”**: means the website available at the following address: <https://peftrust.com/>.

### 3. DATA PROTECTION OFFICER

The Provider has designated a Data Protection Officer (hereafter the **“DPO”**) to the CNIL, under number DPO-122463, whose role is to answer the Users’ requests regarding their Personal Data, and in particular any request to exercise their rights.

Any User may contact the Provider’s DPO by writing to:

- By mail: L’EMPREINTE SAS – DPO, 11 rempart Saint-Thiébauld – F 57000 METZ ; or
- By e-mail: [dpo@lempreinte.fr](mailto:dpo@lempreinte.fr)

**More Information**



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The DPO's role is to inform, advise and control the compliance of L'EMPREINTE in carrying out processing operations for the provision of the Website.

In accordance with Data Protection Laws, the DPO acts as a contact point for:

- The Users, especially in order to respond to their requests about the processing of their Personal Data and exercise of their rights, where applicable;
- The CNIL, or other competent data authorities, when the Provider shall comply with such authority's requests or in order to request an opinion or a prior consultation regarding the protection of Personal Data in the context of editing and/or providing the Website;
- Other DPOs, including the subprocessors' DPOs, when the Provider engages such subprocessors.

### 4. CATEGORIES OF PERSONAL DATA PROCESSED

As part of the provision of the Website, the Provider collects and processes the User's Personal Data.

Personal Data collected by the Provider are limited to:

- Identity Data (such as first name, last name);
- Login Data (such as e-mail address; password);
- Activity Information (such as IP address; terminal used; etc.).

The mandatory or optional nature of the collect of Personal Data, and the possible consequences of failure to provide some information, are indicated to the Users through the forms available on the Website, or during the relevant contact process.

The User is invited to click below to know more about the categories of Personal Data processed by the Provider.

#### ***More Information***

Category of Personal Data	Personal Data collected
User Identity Data	First name, last name E-mail Address Phone Number Job Title Company name
Login Data	E-mail address Password
Activity Information	IP address Terminal used



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Category of Personal Data	Personal Data collected
	Length of the visit on the Website Preferences (language, etc.) History of the consulted pages, used features, etc.

### 5. PURPOSES AND LEGAL BASIS OF THE PROCESSING OPERATIONS

The Provider only collects Personal Data as necessary for the following purposes, as set hereafter:

**a) Creation and management of the User's Account on the Website**

- Creation of an Account on the Website
- Management of the User's Account.

**Legal basis:** *Performance of a contract*

**More Information**

*Categories of Data Processed:* Identity Data, Login Data and Activity Information.

**b) Good Functioning and Performance of the Website**

- Monitoring the use of the Website by Users
- Carrying out statistics or performance measurements
- Audience measurements
- Improve browsing and adapting the presentation of the Website to the User's terminal.

**Legal basis:** *Legitimate Interest or Consent of the User, if applicable*

**More Information**

*Categories of Data Processed:* Identity Data; Login Data and Activity Information

- c) Security and confidentiality of the Website:** ensure the Website security, to detect, prevent or analyse any malicious act, intrusion or confidentiality breach.

**Legal basis:** *Legal Obligation*

**More Information**

*Categories of Data Processed:* Identity Data, Login Data and Activity Information



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### d) Providing information to the User:

- Answering contact requests
- Sending financial proposals
- Providing documentation and/or demos of the Solution and/or the relevant services, as requested by the User.

**Legal basis:** *Performance of a contract* (pre-contractual period)

#### **More Information**

*Categories of Data Processed:* Identity Data

### e) Providing assistance and support following any issues encountered by the User on the Website:

- Answering the User's requests and questions
- Providing assistance and support, if requested by the User.

**Legal basis:** *Performance of a contract; Consent*

#### **More Information**

*Categories of Data Processed:* Identity Data

### f) Sending newsletters and commercial offers to the User

- Inform the User about updates and new features of the Solution
- Notify the User about exclusive offers and or new products to which it can subscribe to
- Inform the Customer about specific events or news which are related to the User's activity.

**Legal basis:** *Consent, if required, or Legitimate Interest* (if consent is not legally required).

#### **More Information**

*Categories of Data Processed:* Identity Data

### g) Managing the requests for exercise of its rights by the User: all processing operations necessary to:

- Analyse requests
- Following up on requests and carrying out the specific technical operations.

**Legal basis:** *Legal obligation*



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### **More Information**

*Categories of Data Processed:* Identity Data; Login Data and Activity Information.

It only applies cases where the Provider acts as controller.

#### **h) Handling and preventing litigation:**

- Respond to claims and requests
- Deal with potential disputes (judiciary or extra-judiciary)

**Legal basis: Legitimate Interest**

### **More Information**

*Categories of Data Processed:* Identity Data; Login Data and/or Activity Information, as necessary.

## 6. PERSONAL DATA RECIPIENTS

Only the authorized and specified categories of persons mentioned in this Section shall have access to Personal Data.

The Personal Data collected and processed by the Provider shall, mainly, be accessed to by the Provider's Personnel (authorized Personnel of its internal departments (customer service, accounting, marketing, sales, legal, administrative, etc.) or subcontractors, as applicable, when necessary for the provision of the Website, within the limits of their attributions and only to the extent necessary.

Personal Data may therefore be communicated to the following recipients:

- Authorized Provider's Personnel
- Third-party providers, including:
  - Technical providers involved in the development of the Website and/or hosting services
  - Specific subcontractors
  - Third Parties who may install cookies on the User's terminal.

And the relevant members of their personnel, as necessary

- If any, business partners
- Where applicable, the competent Courts, administrative, police or judiciary authorities, auditors, lawyers, bailiffs, etc.

### **More Information**



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The following hosting services providers for the Website may have access to Personal Data, as a subprocessor:

**O2switch**, a French “*société à responsabilité limitée*”, registered at the Trade and Companies Registry of Clermont Ferrand under number 510 909 807 and having its registered office at 222-224 Boulevard Gustave Flaubert.

**Scaleway**, a French “*société par actions simplifiée*”, registered at the Trade and Companies Registry of Paris under number 433115904 and having its registered office at 8 rue de la Ville l'Évêque, F-75008 Paris

Personal Data collected and/or processed by the Provider are not shared, transferred, sold, or licensed to other persons than the categories mentioned herein.

### 7. RETENTION PERIOD

The Provider shall only collect and retain Personal Data in a form which enables identification for no longer than what is necessary according to the purposes for which such Personal Data are collected and processed.

#### **More Information**

Purpose	Category of Personal Data	Retention Period
<b>Provision of the Website to the User</b>	Identity Data Login Data Activity Information	Personal Data are retained only for the provision of the Website and associated Account.  Personal Data not necessary for other purposes are deleted after the deletion or deactivation of the Account.  When an Account remains inactive (no connection) for an interrupted period of three (3) years, such Account shall be automatically deleted after a reasonable notice period, following the sending of a reminder by e-mail.
<b>Good Functioning and Performance of the Website</b>	Identity Data Login Data Activity Information	Tracking devices, including cookies, can be placed on the User's terminal, for a maximum duration of thirteen (13) months. Beyond this retention period, data associated to a Login are either deleted or anonymised.





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Purpose	Category of Personal Data	Retention Period
		<p>Information collected through the intermediary of cookies or tracking devices are retained for a maximum period of twenty-five (25) months, after which they shall be deleted or anonymised.</p>
<p><b>Security and confidentiality of the Website</b></p>	<p>Identity Data</p> <p>Login Data</p> <p>Activity Information</p>	<p>Logs are retained between six (6) months and one (1) year, according to what is necessary to identify any breach or data violation, without retaining a volume data that could be subject to attacks and/or misuses.</p> <p>For the purposes of criminal proceedings, prevention of threats to public security or safeguarding of national security, information relating to the civil identity shall be retained for a five (5) years period after the termination of the Agreement. For the same purposes, other information will be retained for a one (1) year period after the expiry of the Agreement.</p> <p>For the purposes of preventing crime, serious delinquency and threats to public security, as well as for the safeguard of the national security, technical data enabling the source of the connection to be identified shall be retained for a one (1) year period from the date of connection or use of the relevant equipment.</p>
<p><b>Providing information to the User</b></p>	<p>Identity Data</p> <p>Login Data</p> <p>Activity Information</p>	<p>Only for the duration needed to answer the question and close the request.</p>
<p><b>Providing assistance and support following any issues encountered by the User on the Website</b></p>	<p>Identity Data</p>	<p>Only for the duration needed to answer the question and close the request.</p>



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Purpose	Category of Personal Data	Retention Period
<b>Sending newsletters and commercial offers to the User</b>	Identity Data	For the entire duration of the Agreement, plus three (3) years.
<b>Managing the requests for exercise of its rights by the User</b>	Identity Data Login Data Activity Information	Only for the duration needed to answer the question and close the request.  However, the Provider may retained the necessary data to prove that it has complied with its legal obligations for the duration of the applicable limitation period.  If a copy of the User ID has been collected, such copy will be deleted after a maximum period of one (1) year.
<b>Handling and preventing litigation</b>	Identity Data Login Data Activity Information	For the applicable limitation periods (five (5) years for business or civil litigations).

## 8. RIGHTS OF THE DATA SUBJECTS

Pursuant to the Data Protection Laws, any User can exercise its rights by writing to L'EMPREINTE's DPO:

- By mail: L'EMPREINTE SAS – DPO, 11 rempart Saint-Thiébauld – F 57000 METZ; or
- By e-mail: [dpo@lempreinte.fr](mailto:dpo@lempreinte.fr)

The Provider recommends that the User provides its first name, last name, e-mail address and name of the company to facilitate identification and proper handling of the request.

The Provider may have to carry out identity checks to guarantee the confidentiality and security of the User's Personal Data before answering such requests.

Every individual has the following rights on their Personal Data:



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- A right to access, rectify, update and complete their Personal Data;
- A right to erase their Personal Data, if it is inaccurate, incomplete, dubious, obsolete or is prohibited from being collected, used, shared or retained;
- A right to withdraw consent at any time (when the processing is based on consent);
- A right to restrict the processing of their Personal Data;
- A right to object to the processing of their Personal Data;
- A right of portability of the data provided to the Provider when such Personal Data had undergone automated processing based on consent or on a contract;
- A right to not be subject to a decision based exclusively on automated processing;
- A right to determine what happens to their Personal Data after death and to choose whether the Provider should send Personal Data to a third party designated by them. In the event of death, and in the absence of any instructions, the Provider undertakes to destroy the Personal Data unless it is necessary to retain it for evidentiary purposes or to comply with a legal requirement.

Individuals can also file a claim with the supervisory authorities, specifically the [CNIL](#) or any other competent authority.

### 9. PROTECTION OF CHILDREN

The Website is not intended for Users below eighteen (18) years old.

#### **More Information**

Processing of Personal Data of a child under fifteen (15) years is only lawful insofar as consent have been given by the child and the holder of parental authority.

Any parent or guardian who has reasons to believe that his or her child has provided Personal Data to the Provider without his or her consent should contact the DPO.

### 10. DATA TRANSFERS

As a matter of principle, the Provider will not transfer User Data, and in particular the Users' Personal Data, outside of the European Union.

In the event any Personal Data shall be transferred outside of the European Union, to a country not considered by the European Commission as presenting sufficient guarantees to benefit from an adequacy decision, the Provider shall take all appropriate or suitable safeguards to ensure that such transfer complies with the legal requirements, such as entering the standard data protection clauses adopted by the European Commission.

The User may obtain a copy of such safeguards by addressing a request in writing at the Provider.

### 11. LOGIN DATA AND COOKIES



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Cookies are text files deposited and read, regardless of the type of equipment used, when accessing and browsing the Website. Cookies are used by L'EMPREINTE to record specific information about the use of the Website and online behaviour of the User, to facilitate and improve the general user experience.

For the proper functioning of the Website, L'EMPREINTE might use login data and activity information (date, time, IP address, visited pages or features used) as well as cookies (small files saved on the User's computer or terminal) to identify the Users, log and memorize visits and gather analytics and statistics regarding the performance of the Website.

The deposit of cookies on the IT equipment of a User requires prior consent if they are not strictly necessary for the proper functioning of the Website.

Therefore, when the Users visit the Website for the first time, L'EMPREINTE informs them about the use of cookies through a banner.

All Users can manage their choices about the use of cookies at any time, through the settings of the Website.

### **More Information**

The following categories of cookies and tracking devices are used by the Provider on the Website:

- **Functional and technical cookies, or strictly necessary cookies:** for which consent is not required and which are mainly used to improve the use of the Website. These cookies include session cookies (storage of login data, activity on the Website, preferences (language, resolution, etc.)) and security cookies. If the User objects to such cookies, it acknowledges that the provision of the Website might be affected by such refusal and under no circumstance the Provider might be held liable for any dysfunction due to refusal of strictly necessary cookies.
- **Performance cookies,** used to improve the performance and user experience of the Website. Performance cookies include cookies for audience measurement and/or to generate measures regarding the use of the Website (for example, the most frequently used features or the most visited pages).

To know more about cookies and tracking devices, the User and associated Users are invited to refer to L'EMPREINTE specific documentation regarding cookies and cookies settings on the Website.

For more information, the CNIL's website is also accessible by clicking on the following link: <https://www.cnil.fr/fr/cookies-et-traceurs-comment-mettre-mon-site-web-en-conformite>.

## 12. THIRD PARTY WEBSITES

When browsing the Website, Users have the possibility to click on links to other websites or services, edited and developed by third parties, and that may collect their Personal Data.

Under no circumstance L'EMPREINTE can be held liable for collection and process of Personal Data by these third-party websites.

This Privacy Policy does not apply to the processing operations carried out by such third parties.



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### 13. SECURITY

L'EMPREINTE has implemented and maintains a written data information security program for the protection of User Data, including appropriate organizational, technical, administrative, and physical security measures.

Such measures include:

- Enabling access to Personal Data only to the members of its Personnel who needs to access to such data for the sole purpose of exercising their functions
- Ensuring that such Personnel authorized to access Personal Data is subject to appropriate obligations of confidentiality
- Providing regular training to its Personnel regarding security measures and Data Protection Laws
- Implementation of reasonable and sufficient physical barriers and controls to prevent unauthorized physical access to, or compromise, of Personal Data
- Maintaining a secure processing environment including set-up and application of antivirus updates, system patches or regular updates of the information system and the Website; encryption of User Data, etc.
- Drafting and updating regularly its internal policies such as business continuity plans and procedures to respond to security breaches and/or Personal Data violations.

### 14. UPDATES OF THIS PRIVACY POLICY

This Privacy Policy may be subject to updates, in particular in accordance with the various legislative and regulatory changes, but also according to technical or commercial evolutions of the Website.

To this end, the User may consult the updates directly on the Privacy Policy page of the Website.

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