

## Privacy and Cookie Statement

Ysquare B.V. (“**Ysquare**” or “**we**”) values the protection of your personal data. Personal data is all information which can directly or indirectly be used to identify you.

Ysquare processes personal data provided by you on your own initiative or in the context of our service, which is publicly available or which has been made available to us through a third party.

In this Privacy and Cookie Statement we inform you about the processing of your personal data by Ysquare.

### Who is responsible for the processing of your personal data?

Ysquare qualifies as the data controller in the meaning of the [General Data Protection Regulation \(EU\) 2016/679 \(“GDPR”\)](#) with regard to the processing of your personal data.

### Which personal data do we process?

Ysquare may process the following (categories of) personal data:

#### *Clients:*

- name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the client;
- other contact details (telephone number, e-mail address and similar data required for communication) and if and when relevant: your license plate number, as provided by the client;
- data relating to the handling of a case or the settlement of a dispute, including data concerning the counterparty and third parties, as provided by the client, a counterparty and/or a third party or obtained from a public source, see also below under “Third parties”;
- data for the purpose of calculating and recording fees and expenses, making payments and recovering claims, including the bank account number provided by the client;
- other data obtained from public sources (such as the Commercial Register, the Chamber of Commerce and the Land Register) or data provided to us by third parties in the context of the handling of a case or the settlement of a dispute;
- other data of clients of which the processing is required by or necessary to comply with applicable laws or regulations, the Legal Profession Bye-law and the Code of Conduct for Lawyers, such as, under certain circumstances, the processing of certain data relating to proof of identity and the maintenance of a former client list.

#### *Suppliers:*

- name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the supplier;
- other contact details (telephone number, e-mail address and similar data required for communication) if and when relevant: your license plate number, as provided by the supplier;

- data for the purpose of placing orders or purchasing services, calculating and recording fees and expenses and making payments, including the bank account number as provided by the supplier;
- other data of suppliers of which the processing is required by or necessary to comply with applicable laws or regulations.

*Job applicants:*

- name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the job applicant;
- other contact details (telephone number, e-mail address and similar data necessary for communication) and if and when relevant: your license plate number, as provided by the job applicant;
- bank account number and travel expenses (commuting distance), as provided by the job applicant;
- nationality, date of birth as provided by the job applicant;
- availability, CV and employment history, training history (copies of diplomas, grade lists, certificates, testimonials), motivation letter, as provided by the job applicant;
- references as provided by the job applicant and/or referent, data of the position applied for, notes of job interviews and written communication with the job applicant.

*Third parties (such as counterparties, lawyers, arbitrators and other advisors):*

- name and address details (name, first names, initials, titles, gender, address, postal code, residence), as far as known to Ysquare;
- other contact details (telephone number, e-mail address and similar data necessary for communication) if and when relevant: your license plate number, as far as known to Ysquare;
- data relating to electronic messages originating from or intended for third parties and data required to maintain contact with these third parties;
- other data from third parties obtained from public sources or provided to Ysquare by clients, counterparties or third parties in connection with the handling of a case or the settlement of a dispute.

**What is the legal basis for processing your personal data?**

Ysquare processes your personal data on the basis of one or more of the legal processing grounds mentioned below:

- a) if this is necessary for the proper execution of our contractual engagement with you or to perform precontractual acts at your request;
- b) if this is necessary to comply with legal obligations we are subject to;
- c) if this is necessary to justify our legitimate interests or the interests of a third party;
- d) your consent.

When Ysquare processes your personal data on the basis of your consent, we will ask you for it separately. You may withdraw your consent at any time. Ysquare draws your attention to the fact that the withdrawal of your consent does not affect the lawfulness of the processing of your personal data prior to the withdrawal of your consent.

### For which purposes do we process personal data?

Ysquare uses the abovementioned personal data for the purposes stated below, in respect of which we have indicated for each purpose on the basis of which legal processing grounds (a through d above) Ysquare does so. If the processing is based on the processing ground 'legitimate interest', this interest is briefly explained. If you have any specific questions in this respect, please do not hesitate to contact us.

#### *Purposes with corresponding processing grounds:*

- to provide the requested legal services, including identifying the client and performing a conflict check to avoid a conflict of interest, to perform our obligations under the agreement of instruction and to conduct (legal or other) proceedings, to advise, to mediate and to refer our clients (*a, b and c: being able to offer and improve our services, compliance with the Legal Profession Bye-law and the Code of Conduct for Lawyers*);
- for the administration of Ysquare, including the calculation or recording of fees or benefits, income and expenses, the payment and collection of claims (including the use of collection agencies or bailiffs) (*a, b and c: the importance of keeping proper records*);
- to be able to deal with any complaints and disputes about our services (*a, b and c: to defend rights, to maintain and improve existing relationships by means of proper handling of complaints, to improve the quality of the service and to comply with the Legal Profession Bye-law*);
- for marketing purposes and to maintain contact and communicate with you (*a, b, c: the interest in bringing our services to the attention of existing clients, d*);
- to handle your job application (*a, b, c: our legitimate interest in assessing whether you are suitable for the job opening and d: consent if you wish to remain in our portfolio, see: "How long do we retain your personal data?"*);
- for placing orders or purchasing services (*a, b and c: our interest in being able to keep proper records*);
- for conducting audits and other internal controls and if and when relevant: to reserve a parking spot for you (*a, b and c: our interest in being able to keep proper (visitors') records*);
- to comply with our legal and statutory obligations including the Legal Profession Bye-law and the Code of Conduct for Lawyers (*b, c: the interest of being able to meet these obligations*);
- in case of a reorganization, merger, acquisition or sale of our assets (*a, b, c: our interest in entering into business transactions and, where possible, in guaranteeing the continuation of the agreement with you, if required: d*).

### Who do we share your personal data with?

Ysquare does not provide your personal data to third parties ('recipients' within the meaning of the applicable privacy legislation), unless this is necessary for the proper performance of the purposes set out in this Privacy and Cookie Statement, if the law requires us to do so or if you have provided your consent to this end. For example, we may share your personal data with another lawyer engaged to handle your matter during absence or leave, with an expert in order to obtain an expert opinion, or if we engage a third party to provide services to Ysquare, such as an IT-provider. We may also (be required to) provide your personal data in the context of any (judicial or other) proceedings or in relation to correspondence with the counterparty.

Finally, we may provide personal data to other third parties, such as a supervisory authority or other public body, but only if required by law.

The third parties to whom the personal data are made available are obliged to handle your personal data confidentially. If these parties qualify as a 'data processor' within the meaning of the applicable privacy legislation, Ysquare will ensure that a data processing agreement is concluded with these parties, which complies with the requirements included in the GDPR. Third parties which offer services to Ysquare as an independent data controller, such as accountants, civil law notaries or an expert engaged to provide an opinion, are themselves responsible for the (further) processing of your personal data in accordance with the applicable privacy legislation.

Ysquare may share personal data of clients, suppliers, job applicants and third parties with:

- Ysquare's staff;
- suppliers (for example software suppliers, bailiffs, courier services, translation agencies, accountants etc);
- counterparties, other lawyers or advisors in the context of the provision of services;
- with all of our legal successors if Ysquare is acquired by or merged with another company, for example through bankruptcy and also with third parties involved in such proposed or actual business transaction;
- courts and government institutions;
- other parties, such as regulators and other authorities where required by law or with your consent.

In order to provide our services, Ysquare might need to transfer your personal data to a recipient in a country outside the European Union with a lower degree of protection of personal data than the European privacy legislation offers. In that case, Ysquare will ensure that such a transfer of personal data is in accordance with the applicable laws and regulations, for example by concluding a model contract prepared and approved for that purpose by the European Commission.

#### How long do we retain your personal data?

Ysquare does not retain your personal data in an identifiable form for longer than is necessary to achieve the purposes included in this Privacy and Cookie Statement. More specifically, Ysquare applies the following retention periods:

- the files of the cases handled by Ysquare will be kept in accordance with the [Archiving Manual of the Netherlands Bar Association](#) for at least five and at most twenty years after our involvement in the case has ended;
- the personal data that are processed in the context of the Office Complaints Procedure will be removed no later than two years after the complaint and/or the legal proceedings arising from it have been dealt with;
- The personal data that you provide us with in the context of your job application will be retained up to four weeks after the end of the application process. With your consent, we will retain your personal data in our portfolio up to one year after termination of the application process. This will give us the possibility to contact you for possible future job

openings at Ysquare. The personal data that you have provided in the context of your application will become part of your personnel file when you start working for Ysquare;

- personal data that must be kept on the basis of Article 52 of the [Dutch General Tax Act](#) will be kept for 7 years (from the end of the year in which the data in question have lost their current value for the (tax-) related business operations) in connection with the tax retention obligation incumbent on Ysquare pursuant to Article 52(4) of the Dutch General Tax Act.

The abovementioned specific retention periods can be extended if statutory retention obligations apply or will become applicable. Ysquare may also retain the personal data for a longer period of time if this is necessary for the handling of incidents or legal disputes.

#### How are your personal data secured?

As Ysquare considers your privacy to be important, we have taken appropriate technical and organisational measures to protect your personal data against unauthorised use, unauthorised access and wrongful modifications, loss or destruction. For more information about the security arrangements with third parties, see the section “*Who do we share your personal data with?*” above.

#### Cookies

Ysquare may use necessary cookies and similar techniques (functional cookies) for the functioning of our website. Currently, we use the following functional cookies:

Name	Provider	Purpose	Type	Expiry
elementor	www.ysquare.nl	This cookie is used for the Word Press theme of our website and allows us to implement or change the website’s content in real-time.	HTML	Persistent

Ysquare does not use analytical, social media or targeting cookies (tracking cookies).

#### What are your privacy rights?

You have the following rights in respect of the processing of your personal data by Ysquare:

- the right to request whether Ysquare processes your personal data and if so, the right to access your personal data;
- the right to rectification of your personal data if these are incorrect or incomplete;
- the right to have your personal data deleted (‘right to be forgotten’);
- the right to object to the processing of your personal data or to limit the processing of your personal data;
- the right to withdraw your consent for the processing of your personal data, if the processing is based on your consent;
- the right to receive or surrender your personal data to a third party appointed by you in a structured, customary and machine-readable form (‘right to data portability’).

Requests regarding the processing of your personal data can be submitted by email to [privacy@ysquare.nl](mailto:privacy@ysquare.nl) or in writing to:

Ysquare B.V.  
Attn. privacy officer  
NoMA House  
Gustav Mahlerlaan 1240  
1081 LA Amsterdam  
The Netherlands

Ysquare will only handle requests relating to your own personal data. In order to prevent that Ysquare discloses information to the wrong person, we can ask you for additional information to verify your identity. In principle, we will inform you of whether Ysquare can comply with your request, within one month after receipt. In specific cases, for example when it concerns a complex request, this term may be extended by two months. Ysquare will inform you of such an extension within one month after receiving your request. On the basis of the applicable privacy legislation, Ysquare can refuse your request under certain circumstances. If this is the case, we will explain to you why. You can find more information about your privacy rights on the website of the [Dutch Data Protection Authority](#).

If you have a complaint about the processing of your personal data by Ysquare, we will be happy to work together to find a solution. If this does not lead to the desired result, you will have the right to file a complaint with the authorised supervisory authority. In the Netherlands, this is the Data Protection Authority. If you live or work in another country of the European Union, you can file a complaint with the supervisory authority of that country.

### Changes

The current version of this Privacy and Cookie Statement was adopted on 25 August 2020. Ysquare retains the right to change the content of this privacy statement. Amendments to the statement are made available on our website [www.ysquare.nl](http://www.ysquare.nl).

### Contact

If you have any questions about this Privacy and Cookie Statement or the use of your personal data by Ysquare, please feel free to contact our privacy officer at +31 20 242 0700 or [privacy@ysquare.nl](mailto:privacy@ysquare.nl).

*Version August 2020*