

BITA

BITA Data Protection and Privacy Policy

1st of May, 2023
Version #1.1.

www.bita.io
info@bita.io



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Log of Amendments

1. 05.08.2020 – v.1.0. First publication of Data Protection and Privacy Policy.
2. 01.05.2023 – v.1.1. Business address and website have been changed.



Document and Company Background

ABOUT BITA

BITA is a Germany-based Fintech that provides enterprise-grade indexes, data and infrastructure to institutions operating in the passive and quantitative investment spaces. Thanks to its innovative index management infrastructure, designed to outperform other existing solutions in terms of flexibility and speed, BITA can provide independent, methodologically sound indexes that are both investable and replicable by customers and stakeholders. BITA's methodologies and processes are completely transparent and available publicly.

ABOUT THIS DOCUMENT

BITA has developed the Data Protection Policy to inform the users of our website, our (prospective) clients, interested parties, business partners and candidates of the nature, scope, and purpose of the personal data BITA processes.

BITA Data Protection Policy has been drafted in accordance with the General Data Protection Regulation EU 2017/679 /("GDPR") and the New German Federal Data Protection Act (Bundesdatenschutzgesetz) ("BDSG-new").



Policy Content

Under this privacy policy, BITA GmbH (hereinafter “BITA“or “We” or “Us” or “Our”) would like to inform the users of our website, in particular our (prospective) clients, interested parties, business partners and candidates (“you”) of the nature, scope, and purpose of the personal data that we process. By “personal data” we refer to any information related to you (hereinafter the “Personal Data”). In addition, we would like to inform you of the rights to which you are entitled.

We pay special attention to the processing of Personal Data in accordance with the General Data Protection Regulation EU 2016/679 (“GDPR”) and the new German Federal Data Protection Act (Bundesdatenschutzgesetz) (“BDSG-new “).

1. CONTROLLER AND THE DATA PROTECTION OFFICER

The controller for the purposes of the GDPR and the BDSG-new is:

BITA GmbH

Mainzer Landstraße 51
60329, Frankfurt am Main
Germany

- Email: info@bita.io
- Web: www.bita.io

For further information, if you have any questions, or if you wish to exercise your data protection rights under the GDPR (detailed information can be found in Section 5 below), you may, at any time, contact us at the contact details indicated above or the Data Protection Officer directly at the following address:

Data Protection

Mainzer Landstraße 51
60329, Frankfurt am Main
Germany

- Email: data.protection@bita.io

2. PURPOSE, CATEGORIES OF PERSONAL DATA, LEGAL BASIS AND RETENTION

We process personal information that comes from three sources: (1) information you provide, (2) information we receive from other sources, and (3) information that is collected automatically.

The first category, **information you provide**, includes information that you offer through our Website, our products, our client support portals and through day-to-day interaction with us, in connection with a



job search, and as a visitor to our offices. The second category, **information we receive from other sources**, includes information from public sources, our employees, and our clients. The last category, **information we collect automatically**, includes information that's gathered when you visit our Website or use our IT systems/networks.

Where required by applicable data protection law, our processing of your personal information will be justified on a lawful basis. We want to highlight that we do not sell or rent your personal information to third parties. And we only share data internally among our corporate affiliates and business units in the ordinary course of our daily operations.

Therefore, BITA maintains and applies consistent physical, electronic and procedural safeguards that aim to protect personal information against loss, misuse, damage or modification and unauthorized access or disclosure.

2.1. Information that you provide

You may provide us with personal information when you communicate with us.

- **Information you provide through day-to-day interaction with us:** You may provide us with personal information through day-to-day interactions, including in-person or various communications technologies, as necessary to develop or support our business relationship. Such relationships may include employees and other personnel of our clients and prospects, directors, vendors, consultants and other professional advisors. Personal Information here typically consists of business contact details but could include other information appropriate to the business relationship.
- **Information you provide through our Website:** You may provide us with personal information whenever you fill out a form on our Website, for example, to ask us a question, or request that we contact you about our products and services, research or events; to subscribe to our marketing channels, careers or investor relations emails; to download content; to register for events; or to submit a website form to us for any other reason (including, for example, to exercise rights under GDPR). The information that you provide to us may include your contact details, and any other information collected on the form to allow us to fulfil the request.
- **Information you provide in connection with a job search:** BITA may process personal data for recruitment purposes relating to BITA. For example, when you apply through a social media platform (e.g., LinkedIn), depending on the platform you use, we will receive either the information contained in your online profile or the resume/CV that you submit. We also collect information that you provide to us at job fairs and during the interview process. Such information may include employment and educational history, and or other information about the candidate that is provided in a CV or similar document.

BITA may retain information about any candidate throughout the recruitment process. If no employment contract is concluded with the candidate, the application documents will be automatically erased two months after notification of the refusal decision, provided by BITA.

The legal basis for this processing is Article 88 of the GDPR and Section 26 (1) of the BDSG-new.



2.2. Information we receive from other sources

- **Information from public sources:** We collect information from the public domain about individuals who work at companies with whom we are seeking to build a business relationship, for purposes of generating leads. In some cases, and where permitted by law, we use third party services that perform these online searches for us. This information typically consists of business contact details.

As part of our recruitment process, we collect information from the public domain that individuals post on professional networking sites and job boards (e.g., LinkedIn).

In relation to the calculation and maintenance of our equity indexes, we collect and use information from public sources about company shareholding and ownership.

- **Information from our clients and other third parties:** We receive information from our clients and prospects about their personnel for purposes of enabling access to our products, client support portal or other communications portals, and managing our business relationship.

Depending on the specific service or product, BITA may process the following categories of data in the context of a contract or request: Company (stock corporation, partnership, sole proprietorship, self-employed, freelancer); company name and, if necessary, contact person with their first name, surname, address, contact details (phone, fax, and email), website, industry; identification data (e.g. personal identification data), authentication data (e.g. specimen signature), tax ID, VAT ID, payment and order data (e.g. bank account/credit card details, payment orders), credit rating; client history, turnover history.

If direct contact takes place during the business relationship, further data may be processed, such as information regarding the contact channel, date, reason for contact, result of contact, and copies of correspondence.

2.3. Information we collect automatically

Cookies

We use cookies to automatically collect information about you when you visit and take action on our Website, which may in some cases constitute personal information under applicable data protection law, including but not limited to:

- your domain;
- your IP address;
- your date, time and duration of your visit;
- your browser type;
- your operating system;
- your page visits;
- information from third parties;
- other information about your computer or device; and
- Internet traffic.

Detailed information about our use of cookies can be found in our Cookie Policy at <https://www.bitadata.com/pages/cookie-policy/cookie-policy.html>



Email Engagement of Clients and Prospects

We may use web beacons (also known as web bugs, pixel tags or clear GIFs) allowing us to receive interaction information about clients and prospects (opening of emails, clicking of links and associated actions).

Our emails may include links to open attachments, visit pages on our Website, download content, launch surveys or take other actions. If you are in our client or prospect contact database, or have previously interacted with us online, then metadata in these links may enable us to identify you as the person clicking the link.

2.4. Use of personal information

How we use personal information we collect about you depends, in large part, on the purpose for which it is provided to us. The specific purposes for which we process such personal information include:

- managing our relationships with our clients and prospects, including:
 - providing products and services to our clients, prospects and others;
 - using information you submit to us online for purposes of creating leads and generating sales;
 - correlating data in our CRM systems about our clients' and prospects' personnel with Website data, including product and client support site login data, for purposes of creating leads and generating sales, which we may perform through the use of cookies that enable us to monitor and analyze Website login data, usage and trends;
 - responding to your inquiries and requests, including:
- responding to your questions about our products and services, research or events;
- adding you to our email lists, including marketing, careers and investor relations (subject to your consent, where required by applicable law);
- resolving your product or other support related issues (which in some cases may involve our use of your administrative login credentials for client support and quality cases);
- processing, evaluating and completing transactions and requests involving the Website and content available through the Website, and more generally transactions involving BITA's products and services, research and events; and
- providing you with other information and content you have requested;
- organizing, hosting and managing events, including without limitation, handling registrations, distributing participant lists, and using photos / videos taken at the event on our Website and other marketing materials in relation to the event;
- operating, maintaining, developing, improving and customizing our Website, including:
 - the content and features accessible on our Website;
 - enabling your access to and use of restricted portions of our Website, including our products and email preferences center; and
 - logging, understanding and analyzing your use of our Website, for the purpose of improving our Website (and content and features on our Website) and your experience on our Website, which we may perform through the use of cookies that enable us to monitor and analyze Website login data, usage and trends;



- developing, producing, operating, and maintaining our products and services;
- improving our products and services, including through the use of client satisfaction surveys and aggregated product usage data, and using such data for research and analysis;
- managing our relationships with our Vendors;
- managing our relationships with our external advisors, board members, etc.;
- recruiting staff, including:
 - managing our recruitment, work placement and internship processes, including considering applications for employment / placement and making offers; and
 - evaluating candidates for future job opportunities (subject to your consent, where required by applicable law);
- managing our relationships with our employees, including:
 - performing our obligations as employers;
 - managing talent management and managing employee benefits;
 - And complying with our legal and compliance requirements;
- managing visitor access to our offices / facilities, and protecting the safety and security of BITA personnel, office visitors, and our offices / facilities;
- protecting the security, confidentiality and integrity of our Website, IT systems, hardware and networks, and information (including personal information of BITA, its clients and prospects, Vendors, personnel and others);
- complying with applicable laws, rules and regulations, and in furtherance of our related internal policies, including compliance policies and records retention requirements;
- responding to your inquiries and requests that are based on legal rights that you may have (e.g., data access rights); and
- managing, protecting against and investigating fraud, risk exposure, claims and other liabilities, including but not limited to violations of our contract terms or laws or regulations.

We do not track your online activities across the Internet. We do not use your personal information for automated decision making, including profiling. We do not sell or rent your personal information to third parties.

If you do not provide us with your personal information, or refuse to give or withdraw consent (where applicable), we may not be able to perform some or all of the above-described actions.

2.5. Purposes of data processing and legal basis

BITA processes personal data for the performance of a contract or to take steps at the request of the data subject prior entering into a contract (e.g. contact requests, offers) in accordance with Article 6(1)(b) of the GDPR.

If necessary, taking into account the balancing of interests in accordance with Article 6(1)(f) of the GDPR, BITA will process your data for the purposes of the legitimate interests of BITA or a third party. For example:



- data exchange with credit agencies to determine credit or default risks;
- assertion of legal claims and defense in the case of legal disputes;
- ensuring IT security and IT operations at BITA;
- prevention of criminal offences;
- measures relating to building and facility safety and security (e.g. access controls);
- usage of the guest WLAN;
- measures for business management and the further development of services and products.

Taking account of the balancing of interests in accordance with Article 6(1)(f) of the GDPR, BITA may also process data for the purposes of the legitimate interests of BITA, for example, based on existing contracts or requests for needs-based information on further services and products (marketing), such as:

- email marketing for similar products and services, if BITA has obtained the email addresses in connection with the sale of products and services from the contractual partner, and the contractual partner has not objected to this processing (this use for marketing purposes can be rescinded with future effect at any time using the above-mentioned contact details without incurring any costs additional to the communication of the objection; every use of the email address will also contain a clear and explicit indication that this use for marketing purposes can be rescinded at any time).

2.6. Recipients and categories of recipients of data

At BITA, access to data shall be granted only to those areas that need such access to perform their contractual and legal duties. Service providers engaged by BITA may also gain access to data for these purposes if they are engaged as a processor in accordance with Article 28 of the GDPR. Potential recipients of personal data include:

- public bodies and institutions (e.g. tax authorities, the German Federal Central Tax Office) if there is a legal or official obligation;
- credit and financial services institutions;
- processors supporting or maintaining IT applications, archiving, document processing, call center services, compliance services, controlling, data screening in accordance with legal requirements, data destruction, auditing services, and payment transactions;
- credit agencies in the context of creditworthiness assessments;
- other recipients of data, based upon your consent.

2.7. Contact possibility via e-mail and contact form

BITA may process personal data for contact purposes. If you contact us by e-mail or via our contact form, the personal data transmitted by you are automatically stored. Such personal data transmitted on a voluntary basis by you to us are stored for the purpose of processing your request and/or contacting you.

Your personal data will not be transferred to third parties. This processing activity can be based on Article 6(1)(f) of the GDPR. Our legitimate interest is to enable a convenient communication platform



with you. As it is also in your interest that we review and reply to your communication request, your interest that your data is not processed for this purpose does not override our legitimate interest.

The personal data shall be automatically erased no later than **3 months** after the contact request was fulfilled and no legal justification (e.g. ongoing client relationship) or statutory retention obligation (e.g. record-keeping requirements pursuant to Article 8(1)(g) of Regulation (EU) 2016/1011) exists for the continued retention.

2.8. Data processing based on your consent (Article 6(1)(A) of the GDPR)

Where BITA processes personal data based on consent (Article 6(1)(a) of the GDPR), BITA will ask for your consent on a case-by-case basis.

Where processing is based on consent, you have the right to withdraw your consent regarding the processing of your personal data with effect for the future at any time. If you wish to exercise your right to withdraw consent with effect for the future, you can contact BITA. For more details, please see the section 5 below.

3. RETENTION PERIODS

BITA shall process and store your personal data only for the period indicated above or generally for the period necessary to achieve the respective purpose. Once the purposes for which BITA has collected and processed the personal data have been achieved, BITA will delete the personal data unless further processing is required.

4. TRANSFERS OF DATA TO A THIRD COUNTRY

A transfer of data to countries outside the EU or EEA (“*third countries*”) shall only take place if it is required to perform your contract, is legally required (e.g. tax reporting obligations), consent has been provided, or as part of commissioned processing. If service providers in third countries are used, these service providers are additionally required to confirm in writing that they maintain the European levels of data protection by taking the corresponding measures (e.g. by agreeing to the EU standard contract clauses).

5. YOUR RIGHTS

Subject to the applicable data protection laws, you have the following rights regarding the processing of your personal data:

- The right to obtain confirmation as to whether or not personal data concerning you are being processed and, where this is the case, access to the personal data and information (Article 15 of the GDPR).
- The right to rectification of personal data concerning you (Article 16 of the GDPR).
- The right to erasure of personal data concerning you in accordance with Article 17 of the GDPR (“*right to be forgotten*”).
- The right to restriction of processing (Article 18 of the GDPR).
- The right to data portability (Article 20 of the GDPR).
- The right not to be subject to a decision based solely on automated processing, including profiling (Article 22 of the GDPR).



- The right to object to the processing of personal data concerning you (Article 21 of the GDPR). For details, please see below.

Information regarding the right to object, Article 21 of the GDPR

- You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you, that is based on Article 6 (1)(e) of the GDPR (data processing for purposes of public interest) or Article 6(1)(f) of the GDPR (data processing for purposes of prevailing legitimate interests pursued by BITA GmbH. This also applies to profiling based on these provisions.
- If you object, BITA shall no longer process the personal data, unless BITA can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of you, or for the establishment, exercise or defense of legal claims.

If you would like to object, please contact BITA at:

BITA GmbH

Mainzer Landstraße 51
60329, Frankfurt am Main
Germany

- Email: info@bita.io
- Web: www.bita.io

If you wish to exercise any of these rights, you may contact us through the enlisted channels above. You also have the right, at any time, to lodge a complaint about the processing activities of your personal data by BITA with BITA or the supervisory authority (Article 77 of the GDPR).

6. OBLIGATION TO PROVIDE DATA

In the context of a business relationship, you have to provide those personal data that are necessary for the commencement and execution of a business relationship and the performance of the related contractual obligations, as well as those personal data that BITA is legally obliged to collect. Without this data, BITA will generally have to refuse the conclusion or performance of a contract and will not be able to continue with the performance of an existing contract and may have to terminate it.



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