

Privacy Policy

SonataSW s. r. o.

version updated: 01/01/2024

## Contents

1	Introduction .....	3
1.1	Definitions.....	3
2	Processing of Personal Data .....	4
2.1	Lawfulness of Processing .....	4
2.2	Purposes of Processing of Personal Data .....	4
2.3	Security of Processing of Personal Data .....	4
2.4	Transfer of Personal Data outside the European Union.....	5
3	Recipients of Personal Data .....	5
3.1	Service providers .....	5
3.2	Public authority.....	5
3.3	SonataSW as a Recipient of Personal Data.....	5
4	SonataSW as the Controller of Personal Data .....	5
4.1	Principles relating to the Processing of Personal Data .....	5
4.2	Notification of a Personal Data Breach.....	6
4.3	Information to be provided to the Data Subject .....	6
5	SonataSW as the Processor of Personal Data.....	6
5.1	General principles for the protection of Personal Data .....	6
5.2	Notification of a Personal Data Breach.....	6
5.3	Information to be provided to the Data Subject .....	7
6	Rights of the Data Subject .....	7
6.1	If SonataSW acts as a Personal Data Controller .....	7
6.1.1	Exercising the rights of the Data Subject.....	7
6.2	If SonataSW acts as a Personal Data Processor .....	7
7	The period for which the Personal Data will be stored .....	7
7.1	via forms .....	8
7.2	while providing the SaaS services.....	8
7.3	as part of a business relation.....	8
7.4	from a Data Subject outside the business relation.....	9

## 1 Introduction

Please be informed that within the services offered by SonataSW s. r. o., company identification number: 35 828 943, VAT number: SK2021613990, with registered office at: Račianska 88 B, 831 02 Bratislava, incorporated in the Business Register kept by the Municipal Court in Bratislava III, section Sro, insert number: 25806/B (hereinafter referred to as “SonataSW”), personal data of data subjects may be processed.

The purpose of this SonataSW Privacy Policy is to present the rules relating to the protection of personal data, containing information about the treatment of personal data of data subject as well as his/her rights related to the protection of personal data. SonataSW as a data controller as well as a data processor of personal data of data subjects is responsible for compliance with all rules covered by this Privacy Policy.

These rules arise from the applicable legislation of the Slovak republic on personal data protection, such as Act No. 18/2018 Coll. on personal data protection and on amendments and supplements to certain acts, following the application of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, hereinafter referred to as “GDPR”).

### 1.1 Definitions

Terms related to the protection of personal data used in this document are the meaning stated in GDPR, especially in accordance with Article 4 of the GDPR.

- 1.1.1. “Personal Data” means any information relating to the data subject in terms of the applicable data protection legislation in the Slovak republic and the EU. It is data through which a specific person can be identified, directly or indirectly, by reference to a generally applicable identifier or online identifier or to one or more characteristics or features that constitute the identity of the data subject.
- 1.1.2. “Data Subject” means any identified or identifiable natural person who uses or is interested in using the service offered by SonataSW and whose personal data is processed.
- 1.1.3. “Data Subject Consent” means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her by SonataSW.
- 1.1.4. “Processing” of Personal Data means any processing operation or set of processing operations on personal data or on sets of personal data. It includes activities such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction, whether or not by automated means.  
SonataSW processes personal data only to the extent necessary and in accordance with the relevant legislation.
- 1.1.5. “Personal Data Breach” means a breach of security that results in the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or unauthorised access to, personal data that is transmitted, stored, or otherwise processed.
- 1.1.6. “Controller of Personal Data” is anyone which, alone or jointly with others, determines the purposes and means of the processing of personal data and processes personal data on his/her own.
- 1.1.7. “Processor of Personal Data” is anyone which processes personal data on behalf of the controller of personal data.
- 1.1.8. “Recipient” means a natural or legal person, public authority, agency, or other entity to which the personal data are disclosed, whether a third party or not. Public authorities which may receive personal data in the context of a particular inquiry in accordance with European Union or Member State law shall not be considered as

recipients. The processing of those data by those public authorities shall be carried out in compliance with the applicable data protection rules, depending on the purposes of the processing.

1.1.9. "Third party" means anyone who is not a data subject, neither the controller nor the processor or any other natural person who processes personal data on behalf of the controller or processor of personal data.

1.1.10. "Cookie" means information stored to a limited scope, in the Internet browser of the data subject and are stored by a web application or website. These are online identifiers that can be assigned to natural persons and are provided by the devices, applications, tools, etc. used by them.

Cookies may be used on SonataSW websites; visitors are informed in advance of the use of these cookies before using websites owned by SonataSW through a "cookie banner" (cookie management tool), which complies with the current EU data protection rules and in which the visitor can change or revoke their cookie preferences at any time.

## 2 Processing of Personal Data

### 2.1 Lawfulness of Processing

SonataSW processes Personal Data in accordance with Article 6 of the GDPR only if at least one of the following reasons is met and only to the extent applicable:

- a) Data Subject has given consent to the Processing of his/her Personal Data for one or more specific purposes;
- b) Processing is necessary for the performance of a contract to which the Data Subject is party or to take measures at the Data Subject's request prior to entering into a contract;
- c) Processing is necessary for compliance with a legal obligation to which SonataSW is subject, such as bookkeeping;
- d) Processing is necessary for the purposes of the legitimate interests pursued by SonataSW, except where such interests are overridden by the interests, fundamental rights, and freedoms of the Data Subject.

### 2.2 Purposes of Processing of Personal Data

SonataSW collects Personal Data for the following purposes:

- a) management of customer contacts and potential customers;
- b) management of business contracts;
- c) SonataSW employee management, recruitment, and career development;
- d) creating and managing user accounts;
- e) development and management of services subscribed to by the customer.

### 2.3 Security of Processing of Personal Data

2.3.1 In accordance with Article 32 paragraph 1 of the GDPR, SonataSW, as both the Controller of Personal Data and the Processor of Personal Data, will implement appropriate technical and organisational measures to ensure a level of security of Personal Data appropriate to the risks, whereby those measures include:

- a) the pseudonymisation or anonymisation of Personal Data, as appropriate;
- b) the encryption of Personal Data;
- c) a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures to ensure the security of Processing;
- d) the ability to ensure the continued confidentiality, integrity, availability and resilience of the Processing systems and services provided; and, where appropriate,
- e) the ability to restore the availability and the access to Personal Data in a timely manner in the event of a physical or technical incident.

2.3.2 SonataSW will make its best effort to offer regular data protection awareness training to its employees or more specific training to any person acting on behalf of a Controller or Processor of Personal Data who has access to Personal Data of the Data Subject.

## 2.4 Transfer of Personal Data outside the European Union

Pursuant to Article 46 of the GDPR, SonataSW may not transfer Personal Data outside the European Union, outside the European Economic Area, or outside a third country recognized by the European Commission without implementing appropriate safeguards.

The Personal Data of the Data Subject is only processed in the European Union or in countries that ensure an adequate level of protection based on a decision of the European Commission.

## 3 Recipients of Personal Data

Processors of Personal Data or joint Controllers of SonataSW are the following categories of Third parties: service providers, companies supplying information systems, companies providing information technology and other support services companies and public authorities.

Third parties may only process Personal Data with a specified purpose of Processing and in accordance with the GDPR and may not use Personal Data for purposes other than those for which it was intended in the performance of the agreement with SonataSW. For more information about the Recipients, please contact at [privacypolicy@sonatasw.com](mailto:privacypolicy@sonatasw.com).

### 3.1 Service providers

SonataSW may share Personal Data with Third Party service providers:

- a) in the performance of a contract with a customer (hosting, consulting, subcontracting, etc.) in accordance with the terms of the contract on behalf of SonataSW;
- b) in the context of assisting SonataSW in fulfilling the financial and administrative terms of the contract (debt collection, invoicing, etc.); and
- c) for the purpose of sending marketing communications on behalf of SonataSW.

### 3.2 Public authority

In certain situations, SonataSW may be required to disclose Personal Data in response to a public authority request, subpoena or other lawful request in accordance with applicable law. In such cases, SonataSW will make the necessary disclosures, particularly if SonataSW believes in good faith that the disclosure is necessary to protect the rights and ensure the security of the Data Subject or the safety of others, to investigate fraud, or to comply with a legal requirement.

### 3.3 SonataSW as a Recipient of Personal Data

SonataSW may be the Recipient of Personal Data (name, company, phone, email address) from external sources such as major providers, under a data Processing agreement entered in accordance with the GDPR. Such data is only used for:

- a) customer updates, development and analysis;
- b) generation of potential customers;
- c) providing information regarding the relevant products and services.

## 4 SonataSW as the Controller of Personal Data

### 4.1 Principles relating to the Processing of Personal Data

In the case that SonataSW acts as a Personal Data Controller, in accordance with Article 5 of the GDPR, it is responsible for ensuring that Personal Data shall be:

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specified, explicit and legitimate purposes and not further processed in a way that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
- d) accurate and, where necessary, kept up to date;
- e) kept no longer than is necessary for the purposes for which the data are processed;

- f) processed in a manner that ensures adequate security of the Personal Data, including protection against unauthorised or unlawful Processing and accidental loss, destruction or damage, using appropriate technical or organisational measures.

## 4.2 Notification of a Personal Data Breach

Pursuant to Article 33 paragraph 1 and Article 34 of the GDPR, SonataSW, as the Controller of Personal Data, shall notify the Personal Data Breach to the Data Subject and to the supervisory authority of the Slovak Republic without undue delay.

Contact on the Slovak Data Protection Authority [Úrad na ochranu osobných údajov Slovenskej republiky \(gov.sk\)](https://www.pdp.gov.sk)

Address: Hraničná 12, 820 07 Bratislava 27, Slovak Republic

e-mail: [statny.dozor@pdp.gov.sk](mailto:statny.dozor@pdp.gov.sk)

## 4.3 Information to be provided to the Data Subject

When collecting Personal Data, in accordance with Articles 13 and 14 of the GDPR, SonataSW shall provide the Data Subjects with at least the following information to the extent possible and regardless of the Processing carried out:

- the contact details of the data Controller or its data protection officer;
- the purposes of the Processing and its legal basis;
- the Recipients of Personal Data;
- transfers of data outside the EU, if applicable;
- the period for which the Personal Data will be stored;
- the possibility to request the exercise of any available rights under applicable law;
- the right to lodge a complaint with a supervisory authority.

## 5 SonataSW as the Processor of Personal Data

In the case that SonataSW acts as a Personal Data Processor, it shall only process Personal Data on behalf of and in accordance with the documented and lawful instructions of the customer.

The customer, as Personal Data Controller, shall provide SonataSW with access to the Personal Data of its Data Subjects so that the services subscribed to by the customer can be provided to the customer in accordance with the provisions of the contract concluded between the customer and SonataSW.

### 5.1 General principles for the protection of Personal Data

If SonataSW acts as a Processor of Personal Data, in accordance with Article 28 of the GDPR, SonataSW ensures that:

- the purposes of the Processing of Personal Data are described in SonataSW's General Terms and Conditions, which form an integral part of the agreement signed between SonataSW and the customer;
- the customer's Personal Data is processed solely for the purpose for which it was originally collected based on documented instructions from the customer and in accordance with the terms of the contract;
- the deletion or return of Personal Data and existing copies is carried out after the end of the contractual relationship and under the terms and conditions set out in the contract, unless applicable law requires the retention of such Personal Data;
- will reasonably co-operate with its customers to help them ensure that they comply with their obligations under Articles 32 to 36 of the GDPR, taking into account the nature of the Processing and the information available to SonataSW;
- those persons authorised to process Personal Data undertake to maintain confidentiality in accordance with the agreement;
- Personal Data is not disclosed to Third parties without the prior specific or general written permission of the Controller of Personal Data.

### 5.2 Notification of a Personal Data Breach

In the event of a Personal Data Breach, SonataSW, as the Personal Data Processor, shall notify the Personal Data Controller without undue delay.

SonataSW, as the Personal Data Processor, agrees to cooperate with the supervisory authority established pursuant to Article 51 of the GDPR, namely the Office for Personal Data Protection of the Slovak Republic (for contact see point 4.2 of this document), where appropriate, and to give due consideration to its recommendations.

### 5.3 Information to be provided to the Data Subject

In accordance with the terms of the contract, SonataSW, as Personal Data Processor, will provide any information to the customer acting as Personal Data Controller that could help enforce Article 13 of the GDPR.

## 6 Rights of the Data Subject

In connection with the Processing of Personal Data by SonataSW, the Data Subject has the right of access, to rectification, to erasure ("right to be forgotten"), to restriction of Processing, to data portability, and to object.

### 6.1 If SonataSW acts as a Personal Data Controller

Under the conditions and for the reasons set out in Articles 15 to 22 of the GDPR, Data Subjects have the right:

- a) to obtain access to their Personal Data processed by SonataSW;
- b) to obtain the rectification of inaccurate or incomplete Personal Data;
- c) to have their Personal Data erased;
- d) to request restriction of the Processing of Personal Data;
- e) to object to the Processing of a Personal Data in certain circumstances;
- f) to receive the Personal Data and transmit those data to another Controller;
- g) withdraw his or her consent, if it is the legal basis for Processing, within the meaning of Article 7 of the GDPR;
- h) or, alternatively, not to be subject to a decision based solely on automated Processing.

#### 6.1.1 Exercising the rights of the Data Subject

All requests related to these rights can be made by filling in the contact form available on the SonataSW website ([www.sonatasw.com/en](http://www.sonatasw.com/en)) or by email to: [privacypolicy@sonatasw.com](mailto:privacypolicy@sonatasw.com).

Without undue delay, and no later than one month after receipt of the request, the Controller of Personal Data shall provide the Data Subject with information on the measures taken in response to the request. That period may be extended by a further two months if necessary, taking into account the complexity of the request and the number of requests. The Data Subject shall be informed of any such extension within one month of receipt of the request, together with the reasons for the delay.

Where the Data Subject has made a request by electronic means, the information shall, where possible, be provided by electronic means, unless the Data Subject has requested otherwise.

The Data Subject has the right to lodge a claim with the Data Protection Authority if SonataSW has failed to provide a response to the Data Subject's request.

Contact on the Slovak Personal Data Protection Authority: [Úrad na ochranu osobných údajov Slovenskej republiky \(gov.sk\)](http://Urad.na.ochranu.osobnych.udajov.Slovenskej.republiky.gov.sk), Address: Hraničná 12, 820 07 Bratislava 27, Slovak Republic, e-mail: [statny.dozor@pdp.gov.sk](mailto:statny.dozor@pdp.gov.sk)

### 6.2 If SonataSW acts as a Personal Data Processor

In the event that SonataSW receives a request from a Data Subject whose data is processed in the performance of a contract between SonataSW and the customer, SonataSW, as the Personal Data Processor, will notify the customer of the request at the earliest opportunity after receipt and, taking into account the nature of the Processing and the terms of the contract, will take appropriate technical and organisational measures to assist the customer in complying with its obligation to respond to such requests, as far as possible. However, the customer, as the Personal Data Controller, remains fully responsible for responding to the Data Subject.

## 7 The period for which the Personal Data will be stored

Depending on the different purposes for which Personal Data is processed, SonataSW processes the following Personal Data of the Data Subject collected:

## 7.1 via forms

SonataSW, acting as the Personal Data Controller, depending on the type of form (contact, registration, or other web form), collects the identification and contact data of the Data Subject, such as first and last name, e-mail address, name or address of the company where he/she works, or position in the company and telephone number.

This Personal Data is processed by SonataSW for the following purposes:

- a) to respond to the Data Subject's request,
- b) to manage the files of its customers and potential customers,
- c) business communications and/or
- d) generate statistics.

Personal Data collected for this purpose is stored for a maximum of 10 years from the last communication sent by the Data Subject.

Business communications are sent based on SonataSW's legitimate interest to send communications related to the business activities of the company to the Data Subject. The Data Subject may unsubscribe from these communications at any time by clicking on the link available in all SonataSW web communications or at [privacypolicy@sonatasw.com](mailto:privacypolicy@sonatasw.com).

## 7.2 while providing the SaaS services

To provide the requested service, SonataSW acts as a Personal Data Processor and may collect and process the following Personal Data: first and last name, email address, telephone number, position, company name, usage data (log).

This Personal Data is processed in accordance with SonataSW's legitimate interests for the purposes of data traceability and data security, as well as user account management, security, traceability, and communications related to SonataSW's offerings.

When products of Third Party are contracted through any of SonataSW's offerings, the relevant business partners may process the same data. In this case, the general terms and conditions for the Processing of Personal Data are defined by the respective partner.

The data is stored during the use of the service, the relevant Personal Data is archived in accordance with the requirements of the law, for a maximum of 10 years, or unless otherwise agreed in the contract.

## 7.3 as part of a business relation

To provide the requested service and to manage its business relations, SonataSW acting as the Personal Data Controller, collects and processes the identification and contact data of the customer as a natural person, or the person acting in the conclusion and performance of the contract on behalf of the customer, such as first name and surname, registered office, email address, telephone number, position and company name, or billing data of the customer as a natural person.

This Personal Data is processed by SonataSW for the purpose of managing its business relation and providing the requested service or product. Unless prohibited by law, Personal Data collected for these purposes is processed for a maximum of ten years after the end of the business relationship.

SonataSW or its partners may also send commercial communications to the Data Subject. These promotions are sent based on SonataSW's legitimate interest to send communications related to the business activities of the Data Subject. The Data Subject may unsubscribe at any time by clicking on the link available in all SonataSW communications or at [privacypolicy@sonatasw.com](mailto:privacypolicy@sonatasw.com). Personal Data collected for this purpose is processed for a maximum of ten years after the end of the business relationship or the last communication sent to Data Subjects.



#### 7.4 from a Data Subject outside the business relation

This is electronic data collected during visits to SonataSW's website or communications media, as well as other data collected from the Data Subject in the course of communications or social gatherings with the Data Subject. In the case of storage of such data, SonataSW will store them for a maximum period of ten years.

This Privacy Policy may be subject to change, and the current version will be made available on the SonataSW website.

For information or any SonataSW's Privacy Policy related questions, please contact us at [privacypolicy@sonatasw.com](mailto:privacypolicy@sonatasw.com).