

Archipel Group Data Protection Statement

The Archipel Group consists of 2 offices: Archipel Paris and Archipel Geneva (collectively the **Archipel Group** or **we** and individually, the **Archipel Entity**).

This Statement provides you with information about how we process your **Personal Data** (as defined below) and how you can update, manage, export and delete it.

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1. Scope and updates to this Declaration

This Data Protection Statement applies regardless of how you use Archipel Group's services. This Declaration also applies when reference is made to it by means of a link or in a similar manner.

We may amend this Statement at any time by publishing the amended version on this site, together with the date on which it comes into force. You will be informed of any changes we consider important by e-mail.

The Archipel Group's Data Protection Declaration applicable to a contract concluded with an Archipel Entity (for example a letter of engagement) is the Archipel Group's Data Protection Declaration in force on the day the contract is concluded.



2. What do we mean by personal data?

Personal data is defined as "*any information relating to an identified or identifiable natural person*". This information includes not only information that allows a person to be identified directly (such as surname and first name), but also information that allows indirect identification through various clues, such as a telephone number, a number plate, a unique identifier (such as a social security or AVS number), a postal or e-mail address, as well as voice or image.



3. Who is responsible for your personal data and who can you contact?

Your data will be processed by the Archipel Entity with which you have a business relationship. However, please note that your personal data may be transferred within the Archipel Group for the execution of the business relationship.

If you have any questions about this Declaration, you can contact the partner in charge of the business relationship or our Data Protection Officer (DPO) at one of the following addresses:

Archipel Paris
92, rue Jouffroy d'Abbans
75017 Paris - France
france-dpo@archipel.law

Archipel Geneva
Ruelle du Couchant 11
1207 Geneva - Switzerland
switzerland-dpo@archipel.law



4. What personal data do we process and for what purposes?

In the course of our activities or when you deal with us for any other reason, we collect and process certain personal data, as well as the personal data of persons linked to you.

A related person is a person about whom you or a third party provide us with information and/or of whom we are otherwise aware but in connection with our activities. A related person may, in particular, be an opposing party, a colleague, contacts or family members, employees of the courts and other authorities, a director, an officer, an employee, the beneficial owner of a company, an employer, a subcontractor or participants in events organised by us.

Please pass on this declaration to all persons connected with you.

4.1. On the legal basis of **contractual performance** (including the pre-contractual stage), we collect and process the following data for the following purposes:

- **Preparing and concluding contracts:** when preparing and concluding contracts (for example, by drafting a letter of engagement), we collect your name, contact details, powers of attorney, information about you and related persons, and any other data that you provide to us or that we collect from public sources or third parties (for example, the commercial or company register, the register of debtors, legal protection insurance, the media, economic intelligence agencies, sanctions lists, the Internet, third-party financiers). We also process this personal data when a third party processes it in a case in which you are involved. This also includes the clarification of possible conflicts of interest within the Archipel Group. If we need to establish your identity, we collect additional data (for example, a copy of an identity document).

- **Performing and managing the performance of our services:** We process your personal data in order to fulfil our contractual obligations to you and to other contractual partners (e.g. service providers, other firms/studies, project partners). We also process your personal data in order to require third parties to perform contractual services. This processing includes the processing of personal data for the management of our services (e.g. legal advice, representation of our clients before the courts or authorities, correspondence) as well as the processing of personal data for the collection of contracts (collection, debt recovery procedures, etc.) and accounting purposes. In particular, we process personal data that we have received or collected in the course of initiating, concluding and fulfilling a contract, as well as data that we compile in the course of our activities or that we collect from public sources or other third parties (e.g. the commercial or company register, the debt enforcement register, legal protection insurance, the media, economic intelligence agencies, sanction lists, third-party financiers, the Internet). This data may include, in particular, records of interviews, notes, internal and external correspondence, documents that we draw up and receive in the context of proceedings before courts and authorities (e.g. pleadings, appeals and appeals proceedings, judgments and decisions), general information about you or related persons and other information relating to our activities, proof of services, invoices and fees and/or requests for retainers, as well as financial and payment information. In this context, we may also process sensitive personal data.

- **Communication:** We process personal data in order to be able to communicate with you or related persons, whether by e-mail, letter or other means, and to respond to requests in the context of our activities. We therefore process the content of the communication, your contact details and those of related persons, data relating to the communication or telephone calls.

- **Applying for a job:** If you apply for a job with us, we collect and process the relevant data for the purposes of examining your application, carrying out the recruitment procedure and, in the event of a successful application, preparing and concluding a contract. In addition to your contact details and the personal data resulting from the corresponding communication, we process in particular the personal data contained in your application file and other personal data, possibly including extracts from criminal records, that we may obtain about you, for example from professional social networks, the Internet, the media

and references, and the personal data that we obtain from your references if you consent to us contacting them. The processing of data in the context of the employment relationship is the subject of a separate privacy statement.

- *Other purposes:* Other purposes include, for example, training and educational purposes and administrative purposes (e.g. accounting). In addition, we may process personal data for the purposes of organising, carrying out and following up events, in particular participant lists and the content of presentations and discussions, as well as visual and audio recordings made during these events. Other purposes include, but are not limited to, safeguarding other legitimate interests.

4.2. On the legal basis of **your prior consent**, we collect and process the following data for the following purposes:

- *Improving our offers:* In order to constantly improve our offers, we collect data on your behaviour and preferences, for example by analysing how you interact with our social media profiles or our online tools, or how you use or appreciate our services. To this end, we also process direct or indirect feedback from you regarding our social media presence and our tools (e.g. comments, e-mails or other feedback sent directly to us or otherwise made known to us) as well as other feedback regarding our services.

We also send our clients or partners (by electronic means or another distribution channel) information concerning legislative changes or other news related to the execution of our services, but also information concerning the Archipel Group or each Archipel Entity. You may refuse such mailings at any time.

4.3. On the legal basis of **our legitimate interest**, we collect and process the following data for the following purposes:

- *Security and control:* In order to ensure and improve the security of our information systems and infrastructures, we collect and process personal data. This includes, for example, monitoring and controlling electronic access to our IT systems as well as physical access to our premises, analyses and tests of our IT infrastructures, system and error checks and the creation of back-up copies.

4.4. On the legal basis of **legal and regulatory obligations**, we collect and process the following data for the following purposes:

- *Compliance with laws and internal regulations (compliance)* : We collect and process personal data in order to comply with applicable laws and regulations (e.g. our professional obligations or the fight against money laundering or tax obligations), certifications, our "corporate governance" as well as for internal and external investigations to which we are a party (e.g. by a criminal prosecution authority). For this purpose, we collect in particular personal data as well as financial data, but also any other data whose

collection we deem necessary or useful to fulfil our obligations with a view to our compliance with applicable laws and regulations.

We carry out these processing operations either as data controller or as joint data controller (Data Controller).



5. To whom do we disclose your personal data?

As a preliminary point, we would remind you that we are subject to certain obligations of secrecy and/or confidentiality arising, for example, from lawyer-client privilege, legal provisions governing data protection or contracts, and professional secrecy in general.

In particular, we transmit personal data to the following categories of recipients:

- ***The Archipelago Entities:*** the Archipelago Entities exchange personal data collected as mentioned above and process it accordingly. As a general rule, they do so under their own or joint responsibility. In some cases (e.g. IT operations), a legal entity acts as a subcontractor for one or both of them.
- ***Clients and other contractual partners:*** these are our clients and other contractual partners for whom the transmission of your Personal Data is a consequence of the contract (e.g. because you work for a contractual partner or because it provides services for you). This category of recipients also includes organisations with which we cooperate, such as other law firms in France, Switzerland and abroad, legal expenses insurers and third-party funders. In principle, recipients process personal data under their own responsibility.
- ***Authorities and courts:*** We may transmit personal data to courts or other authorities in France, Switzerland and abroad if this is necessary for the performance of our contractual obligations and in particular for the management of the performance of our activities and if we are authorised or obliged to do so by law or if it appears necessary to safeguard our interests or those of our customers or third parties. These recipients process the data under their own responsibility.
- ***Service providers:*** We work with service providers in Switzerland, France and abroad who process the data they have received from us or collected for us (i) on our behalf, (ii) under joint responsibility with us or (iii) under their own responsibility. These service providers include, for example, IT service providers, valuers, banks, insurance companies, debt collectors, business intelligence agencies, address checkers, private investigators, legal directories, other law firms or consultancies. As a general rule, we conclude agreements with our subcontractors on the use and protection of personal data, in particular - where relevant - with regard to lawyer-client confidentiality.
- ***Opposing parties and persons involved:*** insofar as it is necessary for the performance of our obligations, in particular for the management of our services, or if we deem it useful, we

also transmit personal data to opposing parties and other persons involved (e.g. referees or experts, financiers, other law firms).

- **Other persons:** these are other cases where the involvement of third parties arises from the purposes of the processing referred to in section 4. This concerns, for example, third parties in the context of representation relationships (e.g. your lawyer or your bank), payment recipients indicated by you or recipients of deliveries or persons involved in administrative or legal proceedings. Subject to obtaining your prior consent, if we collaborate with the media (including publishers of professional directories) and send them material (e.g. photos, contact details), we may also transmit personal data. Again with your prior consent, we may also pass on your personal data in connection with publications (e.g. in the form of quotes or business reports).

These categories of recipients may in turn use third parties, so that your personal data may also be accessible to them. We may restrict processing by certain third parties (e.g. IT service providers), but not others (e.g. authorities, banks, etc.). Insofar as we are not decisively involved in these collections of personal data, these third parties are solely responsible for them. If you have any queries or wish to assert your data protection rights, please contact these third parties directly.



6. Will your personal data be sent abroad?

We process and store personal data mainly in France, Switzerland and the European Union. However, in the context of our activity on behalf of customers or proceedings before foreign courts or authorities, or as a sub-contractor of one of our service providers, your personal data may potentially be transmitted to any country in the world.

If a recipient is located in a country that does not have adequate data protection, we contractually oblige it to comply with an adequate level of data protection.

We may exceptionally disclose personal data to a country that does not have adequate data protection and without entering into a specific contract, if we can rely on an exception provision. Such an exception may arise in particular in the event of legal proceedings abroad, but also in cases of overriding public interest or when the performance of a contract that is in your interest requires such communication (e.g. when we communicate personal data to a third party). These exceptions may arise in particular in the event of legal proceedings abroad, but also in cases of overriding public interest or when the performance of a contract which is in your interest requires such communication (e.g. when we communicate personal data to firms/studies with which we work), when you have given your consent, when it is not possible to obtain your consent within a reasonable time and communication is necessary to protect your life or physical integrity or that of a third party, or when it concerns personal data which you have made generally accessible and whose processing you have not refused.



7. What are your legal rights?

Subject to the limitations provided for in this Declaration or by local data protection provisions, you may exercise the above rights free of charge by contacting our *Data Protection Officer* (see section 1 above):

- request access to the personal data we process about you and receive a copy of it in a structured, commonly used and machine-readable format (right to data portability);
- request rectification or deletion of inaccurate personal data;
- request the deletion of personal data where processing is no longer necessary to achieve the purposes or is not or is no longer lawful for other reasons, subject however to the applicable retention periods (see section 8 below);
- withdraw your consent at any time if the processing of your personal data is based on your consent;
- object to the processing of your personal data;
- lodge a complaint with our Data Protection Officer (see section 3 above) regarding the processing of Personal Data and, if the problem is not resolved satisfactorily, lodge a complaint regarding the processing of Personal Data with the competent data protection authority.

If you object to the processing of personal data, we are authorised to continue processing if it is (i) legally required, (ii) necessary for the performance of the contract to which you are a party, or (iii) necessary for the purposes of legitimate interests which we are pursuing, including the establishment, exercise or defence of legal claims.



8. How long are your personal details kept?

In principle, we retain personal data for as long as we need it to fulfil the purposes. We will delete or render anonymous personal data (or take equivalent measures) once it is no longer necessary to fulfil the purposes, subject however to (i) legal or regulatory requirements applicable to the retention of personal data for a longer period; or (ii) the need to establish, exercise and/or defend actual or potential legal claims, investigations or similar proceedings, including retention for legal purposes.

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