

Privacy policy (ENG)

HOW WE USE YOUR PERSONAL INFORMATION:

VINOTION PRIVACY POLICY

Last updated 1st of february 2024

SUMMARY

This document describes the privacy policy of ViNotion B.V., established in the Netherlands, with the address Daalakkersweg 2-58, 5641 JA, Eindhoven (herein "ViNotion", "we" or "us"). With this privacy policy (the "Policy"), we want to inform you on how we process any personal information we collect from you. This includes the information you provide us with (for example, when subscribing to our newsletter), what we learn when having you on our website and how our products process data. This Policy explains which personal information we collect from you and for which reasons, how we use, store and transfer such data and how to contact us to ask us about your data and invoke your rights.

We only collect, use, store and transfer ("process") your personal information in accordance with applicable data protection legislation, including but not limited to the (EU) General Data Protection Regulation (2016/679) ("GDPR") and applicable national data protection legislation (hereafter "applicable law").

We process different personal information depending on whether you are a website visitor ("visitor"), customer of our products and services ("customer") and/or a data subject involved in our traffic analysis ("observed traffic participant"). For more information about the personal information we collect, use and otherwise process, please see Section 6.

We will use your personal information for different purposes, depending on whether you are a visitor, customer or an observed traffic participant. We will for example use your data to provide you with the Service you have requested and may use anonymized data to improve our traffic analysis services. For more information about how we use your data, please see Section 7.

With respect to data subjects involved in our traffic analysis (observed traffic participants), it should be noted that our typical traffic analysis solutions do not process any personal data. Our intelligent camera solutions will analyze video images, store anonymized metadata and directly discard the images. No personal data leaves the system and the (statistical) metadata cannot be traced back to individual persons.

Unless the hereafter mentioned exceptions are applicable, ViNotion will under no circumstances make your data available to third parties that are not under contract by us. Nor will your personal data be sold. Exceptions can be made:

- in case of legal provision or legal procedure;
- to protect ViNotion's rights or its property;
- to prevent any crime or to protect the public safety; or
- to protect your personal safety

Please see Section 8 for more information.

When we collect personal information about you, you are entitled to the following rights under applicable law:

- the right to access and rectify your personal information;
- the right to object to our processing of personal information;
- the right to restrict to our processing of personal information;
- the right to demand us to delete your personal information; and
- the right to data portability.

For more information about the rights you have in relation to your personal information, please see Sections 13 - 19 below. If you have any concerns as to how we use your personal information, we would kindly ask you to contact us first. However, you can always lodge a complaint with a relevant authority, specifically where you live, work or where you believe an infringement of your rights has occurred. Please see Section 21 for further information.

If you have any questions about the personal information we collect, how we use your data and how we transfer your data to fulfill our purposes as stated herein, please contact us at: privacy@vinotion.nl

Below follows a more detailed description of how we use your personal information.

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1. WHO WE ARE

We are ViNotion B.V. ("ViNotion", "we" or "us"). This Policy applies to our website, our newsletter and also applies to the use of personal data in our traffic analysis services (we call all of the above "Services").

If you are a customer or website visitor, we are the controller of the personal information collected. If you are a data subject in our traffic analysis, we are typically only the data processor and only rarely, for research purposes, the controller. Nonetheless, this Policy will address the processing of (personal) data of our traffic analysis system as well. After reading our Policy, if you have any questions or want to know more about how we use your personal information, please contact us as stated in the beginning and at the end of this Policy.

Our physical address can be found at the top of this Policy and our contact details are shown in Section 21.

2. WHAT WE PROMISE

We promise to keep your data safe and not to sell your personal data to third parties. We promise you the right to access and delete your data (if applicable), and to provide you with ways to opt-in and opt-out from newsletter(s) and other mailings you receive from us. Please see Sections 13 - 21 for more information.

3. WHAT IS PERSONAL INFORMATION?

Personal information can be any information relating to an identified or identifiable natural person. In other words, it can be any information that could allow us to identify you both directly and indirectly (like for example your name, email address, IP address, your billing address or photos showing your appearance). In this Policy, we will use the word "data" to refer to personal information.

4. REASONS FOR PROCESSING OF YOUR DATA

We will only use and process data about you if we have one of the following reason to do so:

- to fulfill a contract we have with you (for example, when you have purchased a product or service with us);
- when it is our legal duty (for example, to identify your age and make sure we are not collecting data from young children, for book keeping purposes and to fulfill our obligations in relation to authorities);
- when you consent to it (for example, when subscribing to our newsletter); or
- when it is in our legitimate interest (for example, to enforce our policies, manage our everyday business, to use in an anonymized and aggregated way in order to perform statistical analysis and/or improve our traffic analysis solutions, for direct marketing purposes, to ensure information security, to prevent fraud or to transfer the data to different part of the organization when necessary). When we rely on a legitimate interest, we have concluded that our interest is not overridden by your interests or fundamental rights and freedoms.

5. WHEN DO WE COLLECT YOUR DATA?

We will collect data about you when you are an employee of ViNotion or use our Services, including in the following situations:

- when you subscribe to our newsletters;
- when you purchase one of our products or make use of our Services;
- when you contact us or our support services, via email, letter or a contact form on our website;
- when you use our website (for example, in the form of cookies); or
- in customer surveys.

When you are a data subject in our traffic analysis service, we **do not** process your personal data. Our traffic analysis system takes into account Privacy by Design, ensuring only statistical and anonymized metadata leaves the system. In rare cases and only for research purposes for which a legitimate interest exists that does not override your interest or fundamental rights and freedoms, pseudo-anonymized personal data (images) can temporarily be stored and used to improve the accuracy of the traffic analysis system. This personal data will either be fully anonymized or deleted after training. In either case, a Data Protection Impact Assessment will be conducted to safeguard your fundamental rights and freedoms.

6. WHAT DATA DO WE COLLECT?

The data that we collect depends on whether you are an employee, customer, website visitor or data subject in our traffic analysis services.

Employee:

We use data that is necessary for a contractual relationship:

- name,
- BSN,
- RJJJ: copy of identity document,
- physical address,
- telephone number,
- payment account details,
- emergency contact details,
- job evaluation history at ViNotion,
- any other data required under national law.

Customer, applicant or newsletter subscriber:

We use data that you have explicitly provided to us:

- name,
- email address.

The above information may be provided to us when you subscribe to our newsletters. In addition to the above, and when purchasing a product or service, you may have to provide us with the following data:

- physical address,
- telephone number,
- payment account details,
- name and contact information for a business or organization.

Finally, any other data you actively provide us with when:

- you contact support or seek help from ViNotion;
- you fill in our surveys;
- you apply for a job at ViNotion and provide information relevant to the application.

Data we collect that is not directly provided by yourself when using our Services:

- platform type and hardware version (of the system running the ViNotion Service);
- maintenance password for the provided ViSense system.

Website visitors:

Cookies are employed to allow for an improved user experience on our website, and to preserve information between sessions. The information collected from cookies may also be used to improve the functionality of the website, to measure traffic patterns and for marketing purposes. The use of cookies and other tracking technologies is explained in more detail in Section 9. The data we collect using cookies is anonymous and are not personal information:

General information about the visitors

- Number of visits*
- Number of page views*
- (Average) number of pages per visit*
- (Average) time per visit*
- Number of new visitors rate

Visitor profile

- Language of the visitors
- Country / region and place of residence of visitors*
- New and returning visitors*
- Visitor loyalty*

Target groups (remarketing);

- User behavior based on anonymous customer ID*. Browser profile of your visitors
- Network location of the visitor*
- IP address of the visitor*
- Browser of the visitor
- Operating system of the visitor
- Connection speed of the visitor
- Screen resolution of the visitor

Traffic sources to your website

- Direct traffic*
- Referring websites (references)*
- Referring social media channels*
- Visitors through search engines*

- The search queries used in search engines
- Visitors via online campaigns (Google AdWords, banners, e-mail, etc.)*

Content of your website

- Most important pages of the website
- How visitors navigate through the website*
- Next landing pages
- Entry resources per landing page*
- Entry keywords per landing page
- Previous exit pages*

It is important for you to know that this data remains anonymous and is not bound to your personal information. The moment you enter contact details on our website, the above data, which are marked with an *, are linked to your personal data.

Observed traffic participants:

Our product range employs Privacy by Default & Design to ensure no personal data is stored during normal operation. Our traffic analysis services therefore only result in anonymized metadata for the purpose of traffic analysis, which cannot be traced back to any individual person.

Only in case of specific research projects for which a legitimate interest exists that does not override your interest or fundamental rights and freedoms, video images may be temporarily stored for research purposes. These images may show the appearance of the data subjects, meaning they contain personal data. It should be noted that these images are never (and with the available information cannot be) traced back to any specific individual person. Moreover, the images are (pseudo) anonymized and technical safeguards are in place to prevent abuse, such as data encryption and access restriction. The pseudo-anonymized images will be used to improve our traffic analysis system. For example, by having it 'learn' to distinguish cyclists from motorcyclists by 'looking at' many example images.

7. HOW DO WE USE YOUR DATA?

Employee (or applicant):

Your personal data can be processed in the following ways:

- To initiate, carry out and terminate the employment agreement.
- When initiating an employment relationship, the applicants' personal data can be processed, such as your CV. Upon rejection, the applicants' data must be deleted in observance of the required retention period, unless the applicant has agreed to remain on file for a future selection process.

Customer or website visitor:

We use the information we collect from you and from your use of our Services, to provide, maintain, protect and improve the Services and to develop new ones. We will not use your data for any other purpose than the purpose for which the data is originally collected.

To operate our business and to improve our Services, we use your information in the following ways:

- to respond to inquiries or comments from you;
- to verify your identity in order to prevent unauthorized access;
- to provide you with software updates;
- to help tracking and correcting errors and bugs in our products;
- to customize your user experience (of our products and Services);
- to maintain the integrity and security of the Services;
- to create reports, analyses or similar for the purpose of research and business intelligence and be able to track potential problems, behavior and trends;
- to send you newsletters and promotional notices and offers you have previously agreed to;
- to keep our Services fair, investigate and prevent fraud and illegal behavior;
- or to comply with applicable laws and regulations;

Observed traffic participants:

In the context of data subjects that are visible in the video images of our traffic analysis systems:

- Our traffic analysis system uses Privacy-by-Design & Default. Therefore, under normal operation, our traffic analysis solutions **do not process any personal data**.
- In the event that the ViSense® Smart Traffic Lights system is deployed for an intelligent Traffic Signal Installation (iVRI), our traffic analysis services still result in anonymized metadata. The ViSense® system uses a camera to detect road users in the image. The location (GPS), speed, and movement direction of each road user are sent in the form of a standardized CAM (Cooperative Awareness Messages) message to the UDAP server (Urban Data Access Platform; designated data platform for iVRIs in the Netherlands). The Intelligent Traffic System (ITS) receives information about road users around its location via UDAP and then controls the traffic lights accordingly. It is not possible to identify road users with the information from the ViSense® system alone. However, CAM messages are marked as Personal Data because they could (in theory) be combined with an observation camera, license plate recognition system (ANPR system), and/or the schedule of, for example, a bus driver. ViNotion cannot rule out the possibility that a customer combines the live location data of the ViSense® system with other systems to identify road users. For this reason, CAM messages are considered as Personal Data. However, it should be noted that these external systems (observation cameras, ANPR) can already be used on their own to identify road users. The ViSense® system does not provide information that simplifies the identification process. Although CAM messages are officially classified as Personal Data, ViNotion believes that the ViSense® system does not contribute to the identification of road users.
- Exemption: only in the context of research projects, (pseudo)-anonymized images may be temporarily stored and used to improve our traffic analysis solutions, where it is ensured that the data cannot be traced back to any individual.

8. WHO DO WE SHARE YOUR INFORMATION WITH?

Unless the hereafter mentioned exceptions are applicable, we will under no circumstances make your data available to third parties that do not have a processing agreement with us, safeguarding your rights and freedoms. Nor will your personal data be sold. Exceptions can be made in case of:

- legal provision or legal procedure;
- to protect ViNotion's rights or its property;
- to prevent any crime or to protect the public safety; or
- to protect your personal safety

We may use cloud-based service providers, as long as we have an official data processing agreements with each party, they comply with the GDPR and ensure sufficient safeguards are in place to protect your rights and freedoms.

9. HOW DO WE USE COOKIES AND TRACKING TECHNOLOGIES?

We use cookies to collect information about visitors on our websites. Cookies allow us to recognize your computer while you are on the website and help customize your online experience and make it more convenient for you. Cookies are also useful for preserving information between sessions. The information collected from cookies may also be used to improve the functionality of the website and to measure traffic patterns.

Using our website and services you agree to place Strictly Necessary Cookies, Analytical Cookies and Functionality Cookies. You are entitled to choose whether or not you would like to use the other cookies, such as Social Cookies and Tracking Cookies. If you do not approve to the use of cookies, please be sure to opt out in the pop-up message on our website. These settings can also be changed by clicking the gear icon on the bottom right of the webpage.

ViNotion uses the following cookies on our websites, for the following purposes:

- Strictly Necessary Cookies:** These cookies are necessary for the website to function. They are usually set in response to actions made by you which amount to a request for services, such as selecting a website language or filling in forms. You can set your browser to block or alert you about these cookies, but some parts of the website might then not work. These cookies do not store any Personal Information;
- Analytical Cookies:** These cookies allow us to count visits and traffic sources in order to measure and improve the performance of the website. These cookies help us to know which pages are the most and least popular and how visitors move around the website. All information these cookies collect is aggregated and therefore anonymous. You can disable these cookies by clicking on the gear icon on the bottom right of the webpage. If you do so, we will not know that you have visited our website, and will not be able to monitor its performance; For the task of acquiring website statistics, ViNotion makes use of Google Analytics. As supplier of Analytics, Google can use the information obtained through cookies for its own products and services. Google may pass this information on to third parties if Google is legally required to do so, or if third parties process the information on behalf of Google. ViNotion cannot influence this, but you can disable third-party cookies on our website as described above. Also see [Google's Analytics privacy policy](#). As described above, these analytical cookies are always placed while visiting the website.
- Functionality Cookies:** These cookies enable the website to provide enhanced functionality and personalization. If you do not allow these cookies, some or all of these services may not function properly;

d) Social Cookies: These cookies enable the user to share videos and articles from our website. The social-media companies like Twitter, Meta, Google, Youtube, LinkedIn, use cookies such that the user is recognized if you login to their services. Thereby, they aggregate information about the page that is being shared. Their privacy policy's are:

- Microsoft
- Google/Youtube
- Facebook
- Twitter
- LinkedIn
- Pinterest
- Yandex

e) Marketing Cookies: These cookies enable ViNotion to use the Data Driven Marketing Platform to deliver advertisements i.e. newsletters, to make them more relevant and meaningful to consumers, and to regulate as well as track the efficiency of ViNotion's advertising campaigns, both on our services and on other websites. The Data Driven Marketing Platform may use these cookies to build a profile of your interests and deliver relevant advertising on other sites. These cookies keep track of advertisements that are seen, the amount of customers that use one of our services after clicking on the advertisement and keep track which services are already in use such that only relevant advertisements remain. If you agree to the Marketing cookies and you have provided us data, the data will be aggregated. The following are used to deliver the described advertisements:

- Google Adwords
- Google Dynamic Remarketing
- Facebook Custom Audiences
- DoubleClick van Google

Although you do not accept cookies, it is still possible that you will encounter online advertisements from us. The usage of data from the above described organizations is visible in their privacy policy.

Cookies can be enabled/ disabled the first time you visit our website, after that the cookies notification will not pop up anymore. In order to see the notification again, you must delete our cookies or disable in the settings of the browser for placing cookies. Note that, if you disable cookies, you may not be able to use certain functions of the website.

10. SECURITY MEASURES TO PROTECT YOUR DATA

We maintain physical, electronic and procedural safeguards to help guard your data in compliance with applicable privacy regulations. We strictly restrict authorized access to your data only to those persons who have a legitimate purpose to access it.

11. IF YOU CHOOSE NOT TO SHARE YOUR DATA WITH US

We may need to collect data to be able to fulfill our legal obligations or fulfill the terms of a contract we have with you or to be able to even present you with the Services. You may unsubscribe to newsletters you have previously opted-in to, by following the instructions in the newsletter you receive.

Our traffic analysis services do not process any Personal Data. Only in certain research projects, for which a legitimate interest exists, pseudo-anonymized data may be gathered. This data cannot be traced back to any individual (also not by us), hence an opt-out is not applicable.

12. HOW LONG WILL WE KEEP YOUR DATA?

For customers, we will keep your information during the entire lifetime of the product you are using. If you are not a customer but explicitly registered for our newsletter, we will keep your data until consent is withdrawn. We may keep your information for a longer period for research or statistical purposes. If we do, we will make sure your information is anonymized and non-traceable to you as a person. We will also keep it for a longer period if we cannot delete it for legal or regulatory reasons.

We will also delete data upon request. For more information, please read Section 15 of this Policy.

13. ACCESSING, CHANGING AND UPDATING YOUR DATA

You have the right to access the data relating to you. This includes the right to be informed whether or not data about you is being processed, what data about you is being processed, and the purpose of the processing. Furthermore, you have the right to rectify or add data if the personal information is inaccurate or incomplete. As soon as we become aware of any inaccurate personal information being processed, we will always rectify your data without undue delay and notify you accordingly.

14. RIGHT TO OBJECT TO THE PROCESSING OF YOUR DATA

You are also entitled to object to the processing of your data on grounds related to your particular situation. Please note however, that we must still process some personal information about you to provide the Services to you. This means that you cannot object to all our use of personal information and still require us to provide Services to you. You may unsubscribe to newsletters you have previously opted-in to, by following the instructions in the newsletter you receive (please see further information below).

15. RIGHT TO ERASURE

You are entitled to request that we erase data related to you. We will erase your data upon request provided that it is no longer necessary for a (contractual) Service (for example you cannot require all personal information about you to be erased and still receive Services from us) and if we do not have a legal obligation to store personal information.

16. RIGHT TO RESTRICTION

You are entitled to require us to restrict our processing of your personal information if you contest the accuracy of the data, if the processing is unlawful but you do still not want us to erase the data, if the data is no longer needed to fulfill the purpose it was collected for or you have informed us that you do not consider us to have a legitimate interest for certain processing.

17. HOW TO GET A COPY OF YOUR DATA

You can request access to personal information about you that you yourself have provided or was acquired in accordance with a contract between you and ViNotion. Regulations require us to verify your identity prior to sending you any personal data.

18. HOW TO ENFORCE YOUR RIGHTS

You can contact our Privacy Officer via privacy@vination.nl any time to get a list of all the data we have collected from you or to get such data deleted or invoke your other rights as explained above. We will do our best to answer your request in a timely manner.

Please note that if we cannot identify and guarantee who you are, we might ask you to provide us with additional information. We will not change or delete any data if we are unable to verify that you are their rightful owner. We will however always use our best effort to help you out.

19. HOW TO WITHDRAW YOUR CONSENT

You can withdraw your consent to processing your personal data at any time. However, we will no longer be able to provide you with certain product(s) (updates) or Services if you do so.

Our newsletters contain mechanisms which allow you to opt-out from receiving further newsletters from us.

20. CHANGES IN THE PRIVACY POLICY

This Policy may change from time to time. Any changes to this Policy will be posted on this page, and if the changes are significant, we will provide you with a more noticeable notice, like for example by email or with a pop-up on our website.

21. HOW TO CONTACT US AND HOW TO COMPLAIN

Please let us know if you are not happy with the way we use and process your data by contacting our privacy officer at: privacy@vination.nl. We also appreciate to get feedback from you if you think that this Policy or any part of it is unclear.

You always have the right to lodge a complaint with the relevant authority in particular where you live, work or where an alleged infringement of the GDPR has occurred. For example, the relevant authority in the Netherlands is Autoriteit Persoonsgegevens (<https://autoriteitpersoonsgegevens.nl>). We would appreciate if you contact us first, such that we can jointly resolve any

issue, prior to lodging a complaint.

22. OTHER USEFUL INFORMATION

Information about privacy rights for EU residents can be found on: <https://gdpr.eu/>