

# PRIVACY POLICY

## A. GENERAL INFORMATION

This website is operated by BlueLayer Ltd ("BlueLayer"). This Privacy Policy describes how BlueLayer ("we", "us" and "our") uses and protects personal data collected through its software and websites. This policy ("Privacy Policy") may be revised from time to time by updating this page. You can review the Privacy Policy at any time by visiting the Privacy Policy link at the bottom of BlueLayer's website [bluelayer.io](https://bluelayer.io) ("Website").

The terms "data subject" or "you" refer to all individuals and/or entities accessing any BlueLayer Website and other websites provided by us, which are mentioned explicitly in this Privacy Policy using BlueLayer's products, contacting us or being contacted by us for any reason or else interacting with us. There are special provisions regarding the protection of personal data, in particular the German Federal Data Protection Act (Bundesdatenschutzgesetz – BDSG) and the Regulation (EU) 2016/679 (General Data Protection Regulation – GDPR). We will process personal data strictly in accordance with any applicable provisions. According to these provisions, we are legally obligated to provide you with the following information.

### 1. Controller and Data Protection Officer

Data controller within the meaning of the General Data Protection Regulation (GDPR) is:

BlueLayer Ltd  
9th Floor 107 Cheapside, London, United Kingdom, EC2V 6DN

Our contact email for data protection issues is: [compliance@bluelayer.io](mailto:compliance@bluelayer.io)

### 2. Extent of data processing

We only process personal data collected from our users insofar as this is necessary for the provision of a functional web presence and our content and services.

### 3. Legal basis for data processing

Art. 6 (1)(a) GDPR serves as the legal basis whenever we obtain the consent of the data subject for the processing of their personal data.

Art. 6 (1)(b) GDPR serves as the legal basis for the processing of personal data which is necessary for performing a contract to which the data subject is a party. The same applies to processing that is required for carrying out pre-contractual measures.

Art. (1)(c) GDPR serves as the legal basis for the processing of personal data which is necessary for compliance with a legal obligation to which the controller is subject.

Art. 6 (1)(f) GDPR serves as the legal basis when processing is necessary to safeguard our legitimate interest or a third party, and provided this legitimate interest is not outweighed by the data subject's interests and fundamental rights and freedoms.

#### 4. Data erasure and storage duration

Personal data of the data subject is erased or anonymized as soon as the purpose of the storage ceases to exist, unless statutory retention periods apply or we have a legitimate interest in keeping the data, e.g., in case of possible legal disputes.

#### 5. Recipients

The recipients of personal data are the service providers mentioned below in sections C, D and E. Data transfer to third parties (Art. 4 No. 10 GDPR) does not take place. Legal obligations for transmission remain unaffected.

#### 6. Profiling

We do in principle not use automated individual decision-making and profiling. Please note the exception set out in section E regarding data processing on social media.

### **B. RIGHTS OF THE DATA SUBJECT**

As the data subject whose personal data is processed by BlueLayer, you have the following rights, unless any legal exceptions apply in individual cases:

- You are entitled to obtain from us free-of-charge confirmation as to whether or not personal data concerning you is being processed. Where this is the case, you are further entitled to obtain access to the personal data and additional information in accordance with Art. 15 GDPR.
- You have a right to rectification of inaccurate personal data concerning you and/or completion of your data if it is incomplete in accordance with Art. 16 GDPR.
- In case personal data concerning you is inaccurate or incomplete, you have the right to obtain rectification or completion. In the instances covered by Art. 17 and Art. 18 GDPR, you are entitled to request the erasure or the blocking / restriction of processing of data.
- You are entitled to request in accordance with art. 20 GDPR the transmission of personal data concerning you and provided by you to you or directly to another data controller.
- You have the right to object at any time to the processing of personal data relating to you, which is based on Art. 6 Para. 1 Sentence 1 lit. e or lit. f GDPR; this also applies to profiling based on these provisions. We will no longer process your personal data unless we can prove compelling legitimate

reasons for the processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

- Where processing your Data is based on your consent, you have the right to withdraw your consent at any time (Art. 7 (3) GDPR), without affecting the lawfulness of processing based on your consent before its withdrawal.
- If you consider that the processing of personal data relating to you infringes applicable law, you have the right to lodge a complaint with a supervisory authority. Such complaint will not prejudice any other administrative or judicial remedy. You can contact any supervisory authority but the competent supervisory authority for BlueLayer is: Berliner Beauftragte für Datenschutz und Informationsfreiheit, Alt-Moabit 59-61, 10555 Berlin, Germany, <https://www.datenschutz-berlin.de>.

## C. DATA PROCESSING ON OUR WEBSITE

### 1. Use of BlueLayer's Website

When accessing our website, our system automatically collects data and information from your computer system. In particular, the following data is collected:

- Approximate location information if allowed by your web browser settings
- Details about the devices that are used to access our website (such as the IP address and type of operating system and web browser)
- Dates and times of visits to and use of our website
- Information about how our website is used (such as the content that is viewed on our website and how users navigate between our web pages)
- URLs that refer visitors to our website
- Search terms used to reach our website

The aforementioned data will be deleted or anonymized for as long as it is needed, usually no more than 3 months after the collection, unless we need to retain it for regulatory purposes.

The legal basis for the temporary storage of the data and log files is Art. 6 (1) (f) GDPR, Section 25 (2) No. 2 Telecommunication and Telemedia Privacy Act (Telekommunikation-Telemedien-Datenschutz-Gesetz - TTDSG). We have a legitimate interest in collecting and temporarily storing the aforementioned data, as the temporary storage of the IP address by our system is needed for making the website available to you. Moreover, this data is used to ensure the website's proper functioning and the security of our information-technology systems. The data is not used for any other purposes, e.g, marketing purposes.

## 2. Contact Form and E-Mails

There is a contact form on our website to request a demo of our software that can be used to contact us electronically. Alternatively you can send us a direct e-mail.

If you use the contact form, personal data entered voluntarily in the input screen is transmitted to us and processed. This normally comprises your e-mail address, first name and surname, the company name, telephone number, project details and any other content you might enter.

Your personal data is used solely for responding to your request.

The legal basis for using the contact form is Art. 6 (1)(b) or (f) GDPR. We have a legitimate interest to reply to your request and use information on how you heard from us for improving our marketing activities. The data is deleted as soon as it is no longer needed to achieve the purpose for which it was collected. This is the case when the relevant conversation with you has ended. The conversation has ended when it is apparent from the circumstances that the issue or request in question has been finally clarified.

We use several tools to store and process your request:

### a. HubSpot

We use HubSpot, an e-mail marketing and CRM platform, provided by HubSpot, Inc., 25 First St., 2nd floor, Cambridge, Massachusetts 02141, USA; The data entered when submitting the contact form, signing up for the newsletter, and downloading content in the form is stored in Hubspot. In addition, information generated when sending marketing e-mails is processed and stored (e.g. timestamp when opening the email, click rates, browser and device type). The legal basis for the processing is Article 6 (1) (b) and (f) GDPR for the performance of a contract and prior requests. See for further details: <https://www.hubspot.de>; <https://legal.hubspot.com/privacy-policy>; Data Processing Agreement: <https://legal.hubspot.com/dpa>; Standard Contractual Clauses (Safeguarding the level of data protection when processing data in third countries): <https://legal.hubspot.com/dpa>.

### b. Typeform

We use Typeform, an online form builder and data collection platform, provided by Typeform S.L., Carrer Bac de Roda, 163, 08018 Barcelona, Spain. The data entered when submitting forms, surveys, or quizzes is stored in Typeform. Additionally, information such as IP addresses, browser type, and device type may be collected for analytics purposes. The legal basis for processing is Article 6 (1) (b) and (f) GDPR, for the performance of a contract and legitimate interests. For further details, please refer to Typeform's privacy policy: <https://admin.typeform.com/to/dwk6gt>.

### c. Notion

Notion is a connected workspace where we can combine task and project management, notes, personal topics such as meal and travel planning. We might save names of clients or prospects there. The tool is provided by Notion Labs, Inc., 2300 Harrison Street, San Francisco, CA 94110, United States. The legal basis for the use of Notion is Art. 6 (1) (f) GDPR, as we have a legitimate interest to run our business with this software. The recipient of the collected data is Notion. Personal data will be transferred to the USA under the “Data Privacy Framework” (Art. 45 GDPR). For further details see: <https://www.notion.so/Terms-and-Privacy-28ffdd083dc3473e9c2da6ec011b58ac>.

### 3. Account

You can request a demo on our website and use our platform by entering your e-mail address, your name, your organization and your title. We process your personal data to provide you our services. Therefore, the legal basis is Art. 6 (1) (b) GDPR. The data is processed for the duration of the account activity. After termination of an agreement we have with you and after deletion of the account, we store the data for 3 years and delete them afterwards according to our deletion routine.

### 4. Cookies and Tracking

We use first party and third-party cookies for several reasons. Some cookies are required for technical reasons that are necessary for our website to operate. We refer to these as “essential cookies”. Other cookies enable us to enhance your experience on our website by providing personalized content (“personalization cookies”) and advertising (“marketing cookies”) or to improve our website and functions (“analytics cookies”). Cookies are not the only way to recognize or track visitors to a website. We may use other, similar technologies from time to time, like tracking pixel. These are graphics files that contain a unique identifier that enable us to recognize when someone visits our website.

You have the right to decide whether to accept or reject non-necessary cookies. You can exercise your cookie preferences through our cookie consent tool, which can be accessed via the button “Cookie Policy” in the footer of our website. There you can also obtain additional information on the individual cookies used.

You can also set or amend your web browser controls to accept or refuse cookies. If you choose to reject cookies, you may still use our website though your access to some functionality and areas of our website may be restricted.

The legal basis for the use of essential cookies is Art. 6 (1) (f) GDPR, Section 25 (2) No. 2 TTDSG since we have a legitimate interest in ensuring the functionality and security of our website.

The use of non-necessary cookies and similar technologies (marketing, personalization and analytics cookies) only takes place with your consent. The legal basis is Art. 6 (1) (a) GDPR, Section 25 (1) TTDSG. You can revoke your consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

You can revoke your consent at any time with effect for the future by blocking the storage of cookies by setting your browser software accordingly or change your cookie settings with the button “Cookie Policy” in the footer on our website; however, we would like to point out that in this case you may not be able to use all functionalities of this website to their full extent.

#### a. Google

If you have given your consent to the use of cookies, Google Analytics, a web analysis service of Google Ireland Limited Gordon House, Barrow Street, Dublin 4, Ireland (“Google”) is used on this website. The use includes the “Universal Analytics” operating mode. This makes it possible to assign data, sessions, and interactions across multiple devices to a pseudonymous user ID and thus analyze a user’s activities across devices.

“Cookies”, which are used by Google Analytics are text files placed on your computer, to help the website analyze how users interact with the site. The information generated by the cookie about your use of this website is usually transferred to a Google server in the USA and stored there. However, if IP anonymization is activated on this website, Google will reduce your IP address within Member States of the European Union or in other states party to the Agreement on the European Economic Area beforehand. We would like to point out that on this website Google Analytics has been extended to include IP anonymization to ensure anonymous collection of IP addresses (so-called IP masking). The IP address transmitted by your browser in the context of Google Analytics is not merged with other Google data. For more information on terms of use and data protection, please visit <https://www.google.com/analytics/terms/gb.html> or <https://policies.google.com/?hl=en>.

With your consent, we use the Google Tag Manager, a cookie by Google used to control advanced script and event handling. We also use the Google AdSense, a cookie to store and track conversions on the website. Furthermore, we use Google DoubleClick, a cookie to provide ad delivery or retargeting and Google pagead/landing, a pixel to collect data to present more relevant advertisement.

On our behalf, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide us with other services related to website and internet use. The legal basis for the use of the Google services is your consent in accordance with Art. 6 (1)(a) GDPR, Section 25 (1) TTDSG). The recipient of the

collected data is Google. Personal data will be transferred to the USA under the “Data Privacy Framework” (Art. 45 GDPR).

The data sent by us and linked to cookies, user-identifiers (e.g. User-IDs) or advertising-identifiers are automatically deleted after 6 to 24 months. For more information about the different storage periods, see the Google Privacy and Terms: <https://policies.google.com/technologies/retention?hl=en>.

#### b. Hotjar

We have integrated the tool Hotjar on our website. Clarity is offered by Hotjar Limited, Level 2, St Julian's Business Centre, 3 Elia Zammit Street, St Julians's STJ 1000, Malta. We use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users' experience and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on your behavior and your devices. This includes your device's IP address, device screen size, device type, browser information, geographic location (country only). Hotjar stores this information on our behalf in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf.

We process your data based on your consent pursuant to Art. 6 (1) (a) GDPR, Section 25 (1) TTDSG.

The specific retention period of the processed data cannot be influenced by us but is determined by Hotjar. You can find further information in the privacy policy for Hotjar: <https://www.hotjar.com/legal/policies/privacy/> and the Hotjar support site under <https://help.hotjar.com/hc/en-us/sections/115003204947-About-Hotjar>.

#### c. Vercel-Insights

If you have given your consent to the use of cookies, Vercel, a web analysis service of Vercel Inc., 440 N Barranca Ave #4133, Covina, CA 91723 is used on this website and on our platform.

Vercel deploys and hosts websites and provides other analytics tool, which we use. We collect your personal information in connection with Vercel's products or services. Vercel processes your information regarding your use our website or platform. This information might include your IP address, system configuration information and other information about traffic to and from our websites (collectively, the "Log Data"), as well as location information derived from your IP address. Vercel collects and uses Log Data to operate, maintain, and improve its services. For example, Log Data can help Vercel to detect new threats, identify malicious third parties, and provide more robust security protection for us.

The legal basis for the processing is Art. 6 (1) (f) GDPR. We have a legitimate interest in evaluating the use of our website in order to improve our services.

The data is stored for as long as needed for Vercel to provide their services.

You can find further information in the privacy policy and support information for Vercel under <https://vercel.com/legal/cookie-policy> and <https://vercel.com/legal/privacy-policy>.

#### d. Mixpanel

We have incorporated Mixpanel into our platform for analytics purposes. Mixpanel is provided by Mixpanel, Inc., located at 405 Howard St., Suite 500, San Francisco, CA 94105, United States. This tool helps us gain insights into user behavior and usage patterns, allowing us to optimize our service and enhance user experience. Mixpanel collects data on user interactions using cookies and similar technologies, which may include device IP addresses, screen sizes, device types, browser information, and locations. This data is stored on our behalf in pseudonymized user profiles by Mixpanel. It is important to note that Mixpanel is contractually prohibited from selling any of the data collected on our behalf.

We process your data based on your consent pursuant to Art. 6 (1) (a) GDPR and Section 25 (1) TTDSG. The retention period for the processed data is determined by Mixpanel and cannot be influenced by us. For further details on how Mixpanel handles personal data, please refer to their privacy policy: <https://mixpanel.com/legal/privacy-policy/>. Additional information can be found on the Mixpanel support site: <https://help.mixpanel.com/hc/en-us>.

## 5. Newsletter

You may decide to receive marketing e-mails by BlueLayer ("Newsletter"). This Newsletter informs you about our products and services, as well as other content in relation to our business that may be of interest to you.

We need your e-mail address to send you the newsletter. After subscribing to our newsletter, we will send you an e-mail in which we ask you to confirm that you wish to receive the newsletter (double-opt-in). After your confirmation, we store your e-mail address and your name. The legal basis for sending a Newsletter is your consent, Art.6 (1) (a) GDPR. We also store the IP address used in your connection to our servers as well as the times of registration and confirmation and potential withdrawal of your consent. We have a legitimate interest to be able to prove your registration and, if necessary, to clarify a possible misuse of your personal data. The legal basis is Art. 6(1) (f) GDPR.



The data is stored until you withdraw your consent and for a further period of three years.

You can cancel the newsletter subscription at any time by revoking your consent with effect for the future. Each newsletter sent to you includes a link that allows you to easily unsubscribe. However, you can also use other communication channels to withdraw your consent.

## 6. Events

You can register to various events on our website/platform by entering your first and surname, your company name as well as your business e-mail address. The data is used to send out the invitation and if applicable further presentation materials. The legal basis for processing is Art. 6 (1) (b) GDPR. We delete the respective data after the event once they are no longer needed, unless we must keep them due to statutory retention periods or we have a legitimate interest in keeping them (e.g., in case of possible legal disputes).

## D. JOB APPLICATIONS

You are welcome to apply for open job positions or to send us an initiative job application. You can find open job positions at: <https://bluelayer.bamboohr.com/careers>.

We only process the information you provide in your application. The legal basis for the processing of your personal data is Art. 6 (1) (b) GDPR and/or Section 26 (1) German Data Protection Act (*Bundesdatenschutzgesetz* - BDSG) as well as Art. 6 (1) (a) GDPR, Section 26 (2) BDSG, in regard of data that is not necessary for the application procedure (such as a photo). The data will be used exclusively for processing your application and only by employees of BlueLayer that are involved in the job application process. After completion of the application process, the data will be stored for six months and will be deleted afterwards according to our deletion routine. Your data will not be passed on to third parties.

We use the tool Bamboo by BambooHR LLC for job application management and have concluded a data processing agreement with the provider for this purpose.

## E. DATA PROCESSING ON SOCIAL MEDIA

BlueLayer runs a company profile on LinkedIn. When you visit, follow or engage with our LinkedIn company page, LinkedIn processes personal data to provide us with anonymized statistics and insights. This provides us with insights into the types of actions that people take on our page (so-called page insights). For this purpose, LinkedIn processes in particular such data that you have already provided to LinkedIn via the information in your profile, such as data on function, country, industry, seniority, company size and employment status. In addition, LinkedIn will process information about how you interact with our LinkedIn company page, such as whether you are a follower of our LinkedIn company page. With the page insights, LinkedIn does not provide us with any personal data about you. We only have access to the aggregated Page Insights. It is also not possible for us to draw conclusions

about individual members via the information in the Page Insights. This processing of personal data in the context of Page Insights is carried out by LinkedIn and us as joint controllers. The processing helps to improve our company page based on these insights. The legal basis for this processing is Art. 6 (1) (a) GDPR. We have entered into a joint controller agreement with LinkedIn, which sets out the distribution of data protection obligations between us and LinkedIn. The agreement is available at: <https://legal.linkedin.com/pages-joint-controller-addendum>. Personal data can be transferred to the USA under standard contractual clauses as defined in Art. 46 (2)(c) GDPR that act as appropriate guarantees for the data transfer.

## **F. TOOL / PLATFORM**

When you have created an account and use the BlueLayer software or a demo thereof we store your personal information provided in the software. The following data will be stored: name, e-mail-address, password, user ID, country, industry and company name, you position in the company. We process your personal data to provide you our services and agreement and to enable you to administer your account and the software. Therefore, the legal basis is Art. 6 (1) (b) GDPR. We process the data also to verify how often you have requested the demo version and decide whether we accept your request. We have a legitimate interest not to make a demo version available for free to the same person more than one time, Art. 6 (1) (f) GDPR.

The data is processed for the duration of the account activity. After termination of an agreement we have with you and after deletion of the account, we store the data for a maximum of 3 years and delete them afterwards according to our deletion routine. The data is also deleted after 6 months if you have not become a BlueLayer customer after using the demo version or engaged with BlueLayer employees or communications.

### **a. Google, Hotjar, Vercel and Mixpanel**

We use Google Cloud (see above under Section C. 4. a) to store all user information from our software (including your personal information) and Google Workspace to submit user feedback from the App. The legal basis is Art. 6 (1) (b) GDPR as the storage of data is necessary to provide our app. We also use tracking tools provided by Hotjar, Vercel and Mixpanel (see above under Section C. 4. b), c) and d)) to analyse and enhance the usage of our software. The legal basis in each case is Art. 6 (1) (f) GDPR.

### **b. Auth0**

Furthermore we use a tool called Auth0, provided by Okta Inc. (including its subsidiary, Auth0, Inc.), 100 First Street, Floor 6, San Francisco, CA 94105, United States, for authentication and storage of user credentials (name, email, password, user ID, role etc) in our app. The legal basis is Art. 6 (1) (b) GDPR. Auth0 stores user information for us in a hosted cloud database. The recipient of the collected data is Auth0 Inc. The personal data stored in Auth0 is used only for the purposes of providing its services, namely authenticating users. Auth0

will only store and process the Customer Data in the European Union. For more information about the processing by Auth0, see: <https://auth0.com/docs/secure/data-privacy-and-compliance/gdpr>; <https://cdn.auth0.com/website/legal/Aug-2021-FAQs-EU-Customer-Data-Transfers.pdf>.

c. Sentry

We want to provide the best possible service. But we cannot exclude mistakes. In order to determine whether errors occur in the provision of our service, we use the Sentry service of Functional Software Inc., 132 Hawthorne Street, San Francisco, CA 94107, USA. Sentry allows us to identify and correct errors in a targeted manner and processes the following data: User data (user data with attributes, including email address), log data (IP address, device information), error information. The legal basis for the processing is Art. 6 (1) (f) GDPR and personal data will be transferred to the USA under the “Data Privacy Framework” (Art. 45 GDPR). For more information about how Sentry processes personal information, please refer to the service's privacy policy: <https://sentry.io/privacy>.

d. MongoDB

We use MongoDB, provided by MongoDB Inc., 1633 Broadway FL 38, New York, NY 10019, United States, to track activity logs and usage on our App. The legal basis for the processing is Art. 6 (1) (f) GDPR to enhance our services to you. Personal data will be transferred to the USA under the “Data Privacy Framework” (Art. 45 GDPR). For more information about how MongoDB processes personal information, please refer to the service's privacy policy: <https://www.mongodb.com/legal/privacy/privacy-policy>.

e. Brevo

We use Brevo, with a registered office at 106 boulevard Haussmann, 75008 Paris, France, to send transactional emails related to authentication, task-related notifications and requests. The legal basis for the processing is Art. 6 (1) (f) GDPR to enhance our services to you. For more information about how MongoDB processes personal information, please refer to the service's privacy policy: <https://www.brevo.com/legal/privacypolicy/>