

## **FLUENCE GDPR PRIVACY POLICY**

### **I - INFORMATION RELATING TO THE PRIVACY POLICY OF THE SITE**

1. This section contains information on how [fluencecorp.com](http://fluencecorp.com) manages the processing of user data of **Fluence Corporation**.
2. This information is valid for the purposes of Article 13 of EU Regulation no. 2016/679 and to the current international legislation on the subject, concerning the protection of individuals with regard to the processing of personal data and the free circulation of such data, for persons interacting with Fluence Corporation and can be reached at the address corresponding to the homepage: **[www.fluencecorp.com](http://www.fluencecorp.com)**
3. This information is provided only for Fluence Corporation and not for other websites that may be consulted by the user through links contained therein.
4. The purpose of this document is to provide information on the methods, timing and nature of the information that the data controllers must provide to users when connecting to the Fluence Corporation web pages, regardless of the purpose of the connection, according to the Italian and European legislation.
5. The information may undergo changes due to the introduction of new rules, therefore the user is invited to check this page periodically.
6. If the user is under the age of 16, pursuant to article 8, c.1 EU regulation 2016/679, he/she must confirm consent through the authorization of his/her parent or guardian.

### **II - DATA PROCESSING**

#### **1 - Data Holder**

1. The data controller is the natural or legal person, public authority, service or other body that, individually or together with others, determines the purposes and means of processing personal data. It also deals with safety profiles.
2. With regard to this website the data controller is the Legal Representative pro tempore of Fluence Corporation, and for any clarification or exercise of the rights of the user can contact it at the following email address: [ssmith@fluencecorp.com](mailto:ssmith@fluencecorp.com)

#### **2 - Responsible for data processing**

1. The controller is the natural or legal person, public authority, service or other body that processes personal data on behalf of the controller.
2. Pursuant to Article 28 of EU Regulation no. 2016/679, on the appointment of the data owner, the person in charge of data processing on the [www.fluencecorp.com](http://www.fluencecorp.com) site is the data controller.

#### **3 - Data processing place**

1. The processing of data generated by the use of [www.fluencecorp.com](http://www.fluencecorp.com) takes place at Fluence Corporation, based at 10 Bank Street, Suite 830, New York, NY 10606.
2. if necessary, data related to our newsletter can be processed by the person in charge of the newsletter or subjects appointed by it for this purpose at the relevant office.

### **III - COOKIES**

## **1 - Type of Cookies**

1. The website **www.fluencecorp.com** uses cookies to make the user's browsing experience easier and more intuitive: cookies are small strings of text used to store some information that may concern the user, its preferences or the device for accessing the Internet (computer, tablet or mobile phone) and are mainly used to adapt the operation of the site to the user's expectations, offering a more personalized browsing experience and memorizing the choices made previously.
2. A cookie consists of a reduced set of data transferred to the user's browser from a web server and can only be read by the server that made the transfer. This is not executable code and does not transmit viruses.
3. Cookies do not record any personal information and any identifiable information will not be stored. If you want, you can prevent the saving of some or all cookies. However, in this case the use of the site and the services offered could be compromised. To proceed without changing the options related to cookies, simply continue browsing.

Below are the types of cookies that the site uses:

## **2 - Technical cookies**

1. There are many technologies used to store information on the user's computer, which are then collected by the sites. Among these, the best known and used is that of HTML cookies. They are used for navigation and to facilitate access and use of the site by the user. They are necessary for the transmission of communications on the electronic network or the supplier to provide the service requested by the customer.
2. The settings to manage or deactivate cookies may vary depending on the internet browser used. In any case, the user can manage or request the general deactivation or cancellation of cookies, modifying the settings of his internet browser. This deactivation can slow down or prevent access to some parts of the site.
3. The use of technical cookies allows the safe and efficient use of the site.
4. Cookies that are inserted in the browser and retransmitted by Google Analytics or the statistics service of bloggers or similar are technical only if used for the purpose of optimizing the site directly from the owner of the site, which can collect information in aggregate form on the number users and how they visit the site. Under these conditions, for analytics cookies the same rules apply, in terms of information and consent, provided for technical cookies.
5. From the point of view of duration we can distinguish temporary session cookies that are deleted automatically at the end of the browsing session and are used to identify the user and thus avoid logging in to each page visited and the permanent ones that remain active in the PC until expiry or cancellation by the user.
6. Session cookies may be installed in order to allow access to and permanency to the reserved area of the portal as an authenticated user.
7. They are not stored permanently but only for the duration of the navigation until the browser is closed and disappear when the it is closed. Their use is strictly limited to the transmission of session identifiers consisting of random numbers generated by the server necessary to allow the safe and efficient exploration of the site.

## **IV - DATA PROCESSED**

## **1 - Data processing terms**

1. Like all websites, this site also makes use of log files in which information collected in an automated manner is stored during user visits. The information collected could be the following:

- internet protocol (IP) address;
- type of browser and device parameters used to connect to the site;
- name of the Internet service provider (ISP);
- date and time of visit;
- web page of origin of the visitor (referral) and exit; possibly the number of clicks.

2. The aforementioned information is processed in an automated form and collected in an exclusively aggregated form in order to verify the correct functioning of the site, and for security reasons. This information will be processed according to the legitimate interests of the holder.

3. For security purposes (spam filters, firewalls, virus detection), the automatically recorded data may possibly also include personal data such as IP address, which could be used, in accordance with applicable laws, in order to block attempts to damage the site itself or to damage other users, or in any case harmful activities or crimes. Such data are never used for the identification or profiling of the user, but only for the protection of the site and its users, such information will be treated according to the legitimate interests of the owner.

4. This site allows comments, and specific services requested by the user, including the possibility to send the Curriculum Vitae for a possible working relationship. The site automatically detects and records some identification data of the user, including the email address. This data is voluntarily provided by the user at the time of requesting service delivery. By inserting a comment or other information, the user expressly accepts the privacy policy, and in particular agrees that the contents included are freely disseminated to third parties. The data received will be used exclusively for the provision of the requested service and only for the time needed to provide the service.

5. The information that users of the site make public through the services and tools available to them, are provided by the user knowingly and voluntarily, exempting this site from any liability regarding any violation of laws. It is up to the user to verify that they have permission to enter personal data of third parties or contents protected by national and international standards.

## **2 - Purposes of data processing**

1. The data collected by the site during its operation is used for the purposes indicated above and for the following purposes:

Execution of contracts, fulfillment of requests and provision of services requested by you, as well as for the fulfillment of obligations under national and / or Community laws and regulations, as well as for sending newsletters and promotional material.

2. Data retention will be carried out for the period strictly necessary to achieve the aforementioned purpose and in any case not exceeding 2 years.

3. The data used for security purposes (block attempts to damage the site) are kept for the time strictly necessary to achieve the previously indicated end.

## **3 - Data provided by the user**

1. As indicated above, the optional, explicit and voluntary sending of e-mails to the addresses indicated on this website entails the subsequent acquisition of the sender's address, necessary to respond to requests, as well as any other personal data included in the message.

2. Specific summary information will be progressively reported or displayed on the pages of the site prepared for particular services on request.

#### **4 - Support in configuring your browser**

1. The user can manage cookies also through the settings of its browser. However, deleting cookies from your browser may remove the preferences you have set for the site.

2. For further information and support, you can also visit the specific help page of the web browser you are using:

- Internet Explorer: <http://windows.microsoft.com/en-us/windows-vista/block-or-allow-cookies>

- Firefox: <https://support.mozilla.org/en-us/kb/enable-and-disable-cookies-website-preferences>

- Safari: <http://www.apple.com/legal/privacy/it/>

- Chrome: <https://support.google.com/accounts/answer/61416?hl=en>

- Opera: <http://www.opera.com/help/tutorials/security/cookies/>

#### **5 - Social Network Plugin**

1. This site also incorporates plugins and / or buttons for social networks, in order to allow easy sharing of content on your favorite social networks. These plugins are programmed so as not to set any cookies when accessing the page, to safeguard the privacy of users. Possibly cookies are set, if so provided by social networks, only when the user makes effective and voluntary use of the plugin. Please note that if the user browses being logged into the social network then it has already consented to the use of cookies conveyed through this site at the time of registration to the social network.

2. The collection and use of information obtained by means of the plugin are governed by the respective privacy policies of the social networks, to which reference is made:

Facebook: <https://www.facebook.com/help/cookies>

Twitter: <https://support.twitter.com/articles/20170519-uso-dei-cookie-e-di-altre-tecnologie-simili-da-parte-di-twitter>

Google+: <http://www.google.com/policies/technologies/cookies>

Pinterest: <https://about.pinterest.com/it/privacy-policy>

AddThis: <http://www.addthis.com/privacy/privacy-policy>

LinkedIn: <https://www.linkedin.com/legal/cookie-policy>

#### **V. USER RIGHTS**

1. The article 13, paragraph 2 of EU Regulation 2016/679 lists the user's rights.

2. Fluence Corporation therefore intends to inform the user of the existence of:

- the right of the interested party to ask the holder for access to personal data (Article 15 of the EU Regulation), their updating (Article 7, paragraph 3, letter a) of the Legislative Decree 196/2003), the rectification (Article 16 of the EU Regulation), integration (Article 7, paragraph 3, letter a) of the

Legislative Decree 196/2003) or the limitation of processing that concerns it (Article 18 of the EU Regulation) or to oppose, for legitimate reasons, to their treatment (Article 21 EU Regulation), in addition to the right to data portability (Article 20 EU Regulation);

- the right to request cancellation (Article 17 of the EU Regulation), the transformation into anonymous form or blocking of data processed in violation of the law, including those whose retention is unnecessary for the purposes for which the data are been collected or subsequently processed (Article 7, paragraph 3, letter b) of Legislative Decree 196/2003);
- the right to obtain the attestation that the operations of updating, rectification, integration of data, cancellation, blocking of data, transformation have been brought to the attention, including as regards their content, of those to whom the data have been communicated or disseminated, except in the case in which such fulfillment proves impossible or involves a use of means manifestly disproportionate to the protected right (Article 7, paragraph 3, letter C) of Legislative Decree no. 196/2003);

3. The requests may be addressed to the data controller, without formalities or, alternatively, using the model provided by the Guarantor for the Protection of Personal Data, or by sending an email to the following address: enter email

4. If the treatment is based on art. 6, paragraph 1, lett. a) - express consent to use - or on art. 9, paragraph 2, lett. a) - express consent to the use of genetic, biometric, health-related data revealing religious beliefs, philosophical or union membership, revealing racial or ethnic origin, political opinions - the user has the right to revoke the consent at any time without prejudice to the lawfulness of the treatment based on the consent given prior to the revocation.

5. Likewise, in the event of violation of the law, the user has the right to lodge a complaint with the Guarantor for the Protection of Personal Data, as the authority responsible for monitoring the processing in the Italian State.

6. For a more in-depth examination of the rights that compete with it, see articles 15 and ss. of the EU 2016/679 Regulation and the national harmonization Legislative Decree.

## **VI - DATA TRANSFER TO EXTRA EU COUNTRIES**

1. This site may share some of the data collected with services located outside the European Union. In particular with Google, Facebook and Microsoft (LinkedIn) through social plugins and the Google Analytics service. The transfer is authorized and strictly regulated by Article 45, paragraph 1 of EU Regulation 2016/679, for which no further consent is required. The companies mentioned above guarantee their adherence to the Privacy Shield.

2. Data will never be transferred to third countries that do not comply with the conditions set out in Article 45 and following of the EU Regulation.

## **VII. SECURITY DATA PROVIDED**

1. This site processes the data of users in a lawful and correct manner, adopting appropriate security measures to prevent unauthorized access, disclosure, modification or unauthorized destruction of data. Processing is carried out using IT and / or telematic tools, with organizational methods and with logic strictly related to the purposes indicated.

2. In addition to the owner, in some cases, categories of employees involved in the organization of the site (administrative, commercial, marketing, legal, system administrators) or external subjects (as suppliers of third party technical services, couriers, postal services, hosting providers, IT companies, communication agencies) may have access to the data.

## **VIII. CHANGES TO THIS DOCUMENT**

1. This document, published at the address [www. fluencecorp.com](http://www.fluencecorp.com) constitutes the privacy policy of this site.
2. It may be subject to changes or updates. Users are invited to periodically consult this page to keep up to date with the latest legislative news.
3. The document was updated on 6/7/2018 to comply with the relevant regulations, and in particular in accordance with EU Regulation 2016/679.