

PRIVACY STATEMENT TOON ADVOCATEN B.V.

Personal data is processed in the context of the services provided by TOON Litigation B.V. (**TOON**). The concept of 'personal data' includes all information about an identified or identifiable natural person. With regard to such processing of your personal data, TOON qualifies as the data controller in the meaning of the [General Data Protection Regulation](#) (EU) 2016/679 (**GDPR**).

TOON's contact details are as follows:

TOON Advocaten B.V.
Keizersgracht 680
NL-1017 ET AMSTERDAM
T: +31 (0)20 247 1800
E: info@toonadvocaten.com

Which personal data does TOON process?

Clients

TOON may process the following (categories of) personal data of clients and their contact persons:

- ✓ Name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the client;
- ✓ Other contact details (telephone number, e-mail address and similar data required for communication) and where applicable: license plate number, as provided by the client;
- ✓ Data relating to the handling of a case or the settlement of a dispute, including data concerning the counterparty and third parties, as provided by the client, a counterparty and/or a third party or obtained from a public source (such as the Commercial Register, the Chamber of Commerce and the Land Register), see also below under "Third parties";
- ✓ Data for the purpose of calculating and recording fees and expenses, making payments and recovering claims, including the bank account number provided by the client;
- ✓ Other data of clients of which the processing is required by or necessary to comply with applicable laws or regulations, the Legal Profession Bye-law and the Code of Conduct for Lawyers, such as, under certain circumstances, the processing of certain data relating to proof of identity and the maintenance of a former client list.

Suppliers

TOON may process the following (categories of) personal data of persons from whom TOON purchases products or services or who work for these suppliers:

- ✓ Name and address details (name, first names, initials, titles, gender, address, postal code, residence) as provided by the supplier;
- ✓ Other contact details (telephone number, e-mail address and similar data required for communication) as provided by the supplier;

- ✓ Data for the purpose of placing orders or purchasing services; calculating and recording fees and expenses and making payments, including the bank account number as provided by the supplier;
- ✓ Other data of suppliers of which the processing is required by or necessary to comply with applicable laws or regulations.

Job applicants

TOON may process the following (categories of) personal data of job applicants:

- ✓ contact details (name, first names, initials, titles, gender, address, post code, city), as provided by the job applicant;
- ✓ other contact details (telephone number, e-mail address and similar data required for communications), as provided by the job applicant;
- ✓ bank account numbers and travelling expenses (commuting distance), as provided by the job applicant;
- ✓ nationality and date of birth, as provided by the job applicant;
- ✓ availability, CV and employment history (copies of diplomas, certificates, letters of reference), motivation letter and where relevant for the vacancy: the results of a competence test taken;
- ✓ references as provided by the job applicant or the referent, data on the position for which the candidate has applied, notes on job interviews and written communications with the job applicant.

Third parties

TOON may process the following (categories of) personal data of third parties (such as non-clients whose personal data appearing in our files, lawyers and other advisors with whom we are in touch);

- ✓ contact details (name, first names, initials, titles, gender, address, post code, city), if provided;
- ✓ other contact details (telephone number, e-mail address and similar data required for communications), if provided;
- ✓ data regarding electronic messages from or intended for third parties and data required to keep in touch with those third parties;
- ✓ other data obtained from public sources or provided by clients or third parties as part of a case that we handle or dispute resolution.

On the basis of which legal processing grounds and for which purposes does TOON process your personal data?

TOON processes your personal data on the basis of one or more of the following legal processing grounds:

- a. If this is necessary for the performance of an agreement to which you are a party or to perform precontractual acts at your request;
- b. If this is necessary to comply with statutory obligations;
- c. If this is necessary to justify our legitimate interests or the interests of a third party;
- d. Your consent.

If TOON processes your personal data on the basis of your consent, TOON will ask you for it separately. You may withdraw your consent at any time. TOON draws your attention to the fact that the withdrawal of your consent does not affect the lawfulness of the processing of your personal data prior to the withdrawal of your consent.

TOON uses the above personal data for the purposes stated below, in respect of which we have indicated for each purpose on the basis of which of the abovementioned legal processing grounds (a through d) TOON does so. If the processing is based on the principle of 'legitimate interest', we briefly explain this interest. If you have any specific questions in this respect, please do not hesitate to contact us.

Purposes with corresponding processing grounds:

- ✓ to provide the requested legal services, including identifying the client and performing a conflict check to avoid a conflict of interest (*a, b and c: being able to offer and improve our services, compliance with the Legal Profession Bye-law and the Code of Conduct for Lawyers*);
- ✓ for the administration of TOON, including the calculation or recording of fees or benefits, income and expenses, the payment and collection of claims (including the use of collection agencies or bailiffs) (*a, b and c: the importance of keeping proper records*);
- ✓ to be able to deal with any complaints and disputes about the service (*a, b and c: to defend rights, to maintain and improve existing relationships by means of proper handling of complaints, to improve the quality of the service and to comply with the Legal Profession Bye-law*);
- ✓ to maintain contact and communicate with you; (*a, b, c: the interest in bringing TOON's services to the attention of existing clients*);
- ✓ to handle your job application (*a, b, c: our legitimate interest in assessing whether you are suitable for the job opening and d: consent if you wish to remain in our portfolio, see the header: "How long does TOON retain your personal data?"*);
- ✓ for placing orders or purchasing services (*a, b and c: our interest in being able to keep proper records*);
- ✓ for conducting audits and other internal controls (*a, b and c: our interest in being able to keep proper records*);
- ✓ to comply with our legal and statutory obligations including the Legal Profession Bye-law and the Code of Conduct for Lawyers (*b, c: the interest of being able to meet these obligations*).

To whom does TOON provide your personal data?

TOON does not provide your personal data to third parties ('recipients' within the meaning of the applicable privacy legislation), unless this is necessary for the proper performance of the purposes set out in this Privacy Statement, if the law requires us to do so or if you have provided your consent to this end. The third parties to whom the personal data are made available are obliged to handle your personal data confidentially. If these parties qualify as a 'data processor' within the meaning of the applicable privacy legislation, TOON will ensure that a data processing agreement is concluded with these parties, which complies with the requirements included in the GDPR. Third parties which offer services to TOON as an independent data controller, such as accountants, civil law notaries experts

engaged to provide an opinion or expert report, are themselves responsible for the (further) processing of your personal data in accordance with the applicable privacy legislation.

TOON can share personal data of **clients, suppliers, job applicants and third parties** with:

- ✓ Suppliers (for example software suppliers, bailiffs, courier services, translation agencies, accountants, etc.);
- ✓ Counterparties, other lawyers or advisors in the context of the provision of services;
- ✓ Courts and government institutions;
- ✓ With all of our legal successors if TOON is acquired by or merged with another company, for example through bankruptcy and also with third parties involved in such proposed or actual business transaction;
- ✓ Other parties, such as regulators and other authorities where required by law or with your consent.

In order to provide our services, TOON might need to transfer your personal data to a recipient in a country outside the European Economic Area with a lower degree of protection of personal data than the European law offers. In that case, TOON will ensure that such a transfer of personal data is in accordance with the applicable laws and regulations, for example by concluding a model contract prepared and approved for that purpose by the European Commission and will assess whether any additional measures are necessary to guarantee an appropriate level of protection of your personal data. Please do not hesitate to reach out to TOON if you wish to receive more information about the appropriate or suitable safeguards in place for data transfers outside of the European Union or if you would like to obtain a copy of them.

How long does TOON retain your personal data?

TOON does not retain your personal data in an identifiable form for longer than is necessary to achieve the purposes included in this Privacy Statement. More specifically, TOON applies the following retention periods:

- ✓ The files of the cases handled by TOON will be kept in accordance with the [Archiving Manual of the Netherlands Bar Association](#) for at least five years (and longer if required by law).
- ✓ The personal data provided to us with regard to your application will be stored for up to four weeks after the end of the application procedure. We can keep your personal data on file for up to one year after the end of the application procedure if you consent to this. This gives us the option to approach you for any future vacancies at TOON. When you enter into the employment of TOON, the personal data you provided with regard to your application will become part of your personnel file.
- ✓ The personal data that are processed in the context of the Office Complaints Procedure will be removed no later than two years after the complaint and/or the legal proceedings arising from it have been dealt with.
- ✓ Personal data that must be kept on the basis of Article 52 of [the Dutch State Taxes Act](#) will be kept for 7 years (from the end of the year in which the data in question have lost their current value for the (tax-) related business operations) in connection with the tax retention obligation incumbent on TOON pursuant to Article 52(4) of the Dutch State Taxes Act.

The abovementioned specific retention periods can be extended if statutory retention obligations apply or will become applicable. TOON may also retain the personal data for a longer period of time if this is necessary for the handling of incidents and/or legal disputes.

Security

TOON has taken appropriate technical and organisational measures to secure your personal data against unauthorised or unlawful processing and against loss, destruction, damage, modification or publication. If you have any questions about the security of your personal data, or if you suspect or see signs of misuse, please contact TOON via info@toonadvocaten.com.

Your privacy rights

You have the following rights in respect of the processing of your personal data by TOON:

- ✓ the right to request whether TOON processes your personal data and if so, the right to access your personal data and to receive information about the processing of your personal data;
- ✓ the right to rectification of your personal data if these are incorrect or incomplete;
- ✓ the right to have your personal data deleted ('right to be forgotten');
- ✓ the right to object to the processing of your personal data or to limit the processing of your personal data;
- ✓ the right to withdraw your consent for the processing of your personal data, if the processing is based on your consent;
- ✓ the right to receive or surrender your personal data to a third party appointed by you in a structured, customary and machine-readable form ('right to data portability').

TOON does not use automated decision-making within the meaning of Article 22 GDPR.

To exercise your rights, you can contact us via info@toonadvocaten.com or by regular mail via the contact details as stated at the beginning of this Privacy Statement.

In order to prevent that TOON discloses information to the wrong person, TOON can ask you for additional information to verify your identity. In principle, TOON will inform you of whether TOON can comply with your request, within one month after receipt. In specific cases, for example when it concerns a complex request, this term may be extended by two months. TOON will inform you of such an extension within one month after receiving your request. On the basis of the applicable privacy legislation, TOON can refuse your request under certain circumstances. If this is the case, TOON will explain to you why. You can find more information about your privacy rights on the website of the [Dutch Data Protection Authority](#).

Complaints

If you have a complaint about the processing of your personal data by TOON, we will be happy to work together to find a solution. If this does not lead to the desired result, you will have the right to file a complaint with the competent supervisory authority. In the Netherlands, this is the [Dutch Data Protection Authority](#). If you live or work in another country of the European Union, you can file a complaint with the supervisory authority of that country.

Amendments

TOON reserves the right to amend this Privacy Statement. The most recent version of this Privacy Statement will always be posted on the website www.toonadvocaten.com. If substantial amendments are made that could have a significant impact on one or more of the data subjects involved, TOON will try to inform these data subjects of this directly. This Privacy Statement was last amended on 1 July 2021.