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schoenherr

Schoenherr si Asociatii SCA
(Societate Civila de Avocati)
Bulevardul Dacia Nr. 30, sector 1
RO-010413 Bucharest
C.I.F.: 17272298
T: (+40) 21 319 67 90
E: office.romania@schoenherr.eu

**SCHOENHERR
DATA PRIVACY STATEMENT
FOR ROMANIA**

1 Preamble

Schoenherr Romania, including SCA Schoenherr si Asociatii, and Schoenherr Intellectual Property SRL ("**Schoenherr**", "**we**" or "**us**") gives highest priority to the protection of your personal data. Due to our professional duty of confidentiality, we are committed to the utmost secrecy of the information entrusted to us in all of our dealings, including the personal data of the persons with whom we enter in contact, or transmitted to us by these persons. When using your personal data, or the personal data you disclose to us, we therefore naturally also observe all data protection regulations, including but not limited to the provisions of the EU General Data Protection Regulation ("**GDPR**").

In this statement we detail what type of personal data we process about you, what are the purposes for which we process your personal data and what are the legal grounds for such processing purposes, for how long we keep your personal data, with whom we share your personal data, how you can exercise your rights under the applicable legislation.

This data privacy statement refers to the processing activities we carry out in relation to the personal data of our clients and our business partners, their representatives/ employees/ collaborators, of family members of our employees/ lawyers, of other persons who apply for an open position with us, of our headquarters' visitors, or persons who contact us for exercising their rights under the data protection regulations or for any other reason, and of the persons who participate at our events.

2 Personal data, data processing purposes and legal bases

We process the following personal data for the following purposes and based on the following processing grounds:

2.1 In relation with Schoenherr clients and their representatives

If you are a Schoenherr client/ potential client or a representative (including legal representative, employee, or collaborator) of a Schoenherr client/ potential client, we will use your personal data (name, surname, national identification number if the case, ID information if the case, e-mail address, phone number, position, work place address, signature, other data you provide to us), in order to prepare and execute our services, and to communicate with you, in reliance on the engagement between us and you/ our client, thus based on the contractual relationship between attorney and client. In this case, the legal ground for processing your personal data will be the execution of our service contracts, in the legal field, tax field or intellectual property field, or taking steps for entering into such contracts (art 6 para 1 lit b) GDPR), respectively our legitimate interest to assure the smooth performance of the contracts that we entered into, or intend to enter into (art 6 para 1 lit f) GDPR), if you are a representative of our client.

We will also process your contact details based on our legitimate interest (art 6 para 1 lit f) GDPR) in order to optimize our contact management. Also based on our legitimate interest, we may process your personal data for internal purposes, including service billing and contracts/ contact administration.

Furthermore, we inform you that, in accordance with the applicable legislation in the field of anti-money laundry and anti-terrorism financing, we are obliged to observe our specific obligations regarding the verification, monitoring, reporting and documentation of our clients. Specifically, we may request from you and your beneficiaries, and from other management positions or other natural or legal entities for which you act as custodian, as applicable, a satisfying proof of your identity and your power of representation. We will carry out such processing activities only as necessary to comply with our legal obligations (art 6 para 1 lit c) GDPR).

Generally, we will also collect and process other personal data, which is strictly necessary in order to carry out and execute our services, or data which you have provided to us on a voluntary basis, depending on the object and the extent of our mandate. We may obtain such information directly from you or from your company, or from public sources. Please note that under certain circumstances, we might abstain from accepting an engagement if you fail to provide, or provide incomplete, personal data which is necessary to execute and implement our services.

If you disclose to us your or your relatives', co-workers' or other third parties' personal data and/ or business or trade secrets, we generally assume that you are authorized to disclose this data. We will use such data only to the extent this is necessary for the proper establishment and processing of our mandate or contractual relationship with you or your company. At the same time, we kindly ask you, to the extent possible, to inform these third parties about the disclosure of their data to Schoenherr and about the processing of their data by Schoenherr in accordance with this Privacy Statement.

Moreover, we may use your personal data based on our legitimate interest (art 6 para 1 lit f) GDPR) in order to fulfil any other general obligations, we have according to the applicable legislation or statutory provisions, or if we deem such data necessary for the establishment, exercise or defense of our rights. We may also use your personal data for statistical purposes, only after such data has been anonymized.

2.2 In relation with our contract partners, service providers or collaborators, or their representatives, respectively

If you are a contractual partner, service provider or collaborator of Schoenherr, or a representative thereof, we will process your personal data to assure the smooth performance of our contractual relationship with you, or with your company.

We will collect your personal data (name, surname, national identification number, if applicable, identity card information, if applicable, e-mail, phone number, professional address, signature) directly from you or from your company at signing

or for the performance of the contracts concluded with you/ your company, and to communicate with you. At the same time, we may obtain your personal data mentioned above from public sources (e.g. your employer's website, trade registry etc), or from the correspondence/ notifications you or your company send(s) to us.

When we have direct contact with you, we process your personal data in order to perform our rights and obligations provided under our service/ collaboration agreement concluded with you (art 6 para 1 lit b) GDPR). When our contract is concluded with your company, we will use your personal data based on our legitimate interest (art 6 para 1 lit f) GDPR) in order to conclude and/ or perform the contract concluded with your company. Also based on our legitimate interest we may process your personal data internal purposes, including service billing and contracts/contact administration.

Moreover, we may use your personal data based on our legitimate interest (art 6 para 1 lit f) GDPR) in order to fulfil any other general obligations we have according to the applicable legislation or statutory provisions, or if we deem such data necessary for the establishment, exercise or defense of our rights. We may also use your personal data in order to fulfil any specific obligations we have according to the applicable legislation or statutory provisions (art 6 para 1 lit c) GDPR).

2.3 In relation with other third parties

Depending on the scope of work and the extent of our mandate, we may also process personal data of third parties (opponents, opponents' lawyers, employees/ collaborators of our clients or of the opponents, authorities' representatives). We may obtain such data directly from such persons or from their company, from our clients or from their representatives, or from public sources (public registers, authorities'/ companies/ websites).

We will process such personal data only to extend necessary to perform our rights and obligations provided under the mandate granted to us by our client (art 6 para 1 lit f) GDPR).

Moreover, we may use your personal data based on our legitimate interest (art 6 para. 1 lit f) GDPR) in order to fulfil any general obligations we have according to the applicable legislation or statutory provisions, or if we deem such data necessary for the establishment, exercise or defense of our rights. We may also use your personal data to fulfil any specific obligations we have according to the applicable legislation or statutory provisions (art 6 para 1 lit c) GDPR).

2.4 In our marketing activities

Our marketing activities are addressed to our existing clients and to other interested third parties (employees/ collaborators/ shareholders of our clients, potential or former clients and/ or their representatives, other lawyer's professionals active in the legal field, various Schoenherr collaborators or potential collaborators, various professional associations and/ or their representatives or members, authorities'

representatives, journalists, event organizers, participants at our events or at events where we participate). The processing activities we carry out in our marketing activities in relation to persons mentioned above relate to the following:

(i) **Newsletter**

We will process your contact details to send you our newsletter on latest legal information in Romania, based on your consent (art 6 para 1 lit a) GDPR), which you can withdraw at any time, by expressing your wish to not receive such communications in the future. The withdrawal of your consent will not affect our processing activities carried out prior to your withdrawal.

If you wish to be up to date with the latest legal information in Romania, you are welcome to subscribe to our newsletter about legal, fiscal and intellectual property aspects ("**Newsflash Schoenherr Bucharest**"). You can subscribe by sending an e-mail with the subject "Newsletter Romania subscription" to the dedicated e-mail address marketing.bucharest@schoenherr.eu. You can unsubscribe from our newsletter by sending a request in this respect as instructed in Newsflash Schoenherr Bucharest.

You can also subscribe to press releases and newsletters of the international Schoenherr network at <https://www.schoenherr.eu/subscription/>. The international press releases provide the latest updates and information on Schoenherr deals. The international newsletters allow you to access information on the latest legal developments and update you on our annual Roadmap and other Schoenherr publications. This service simply requires you to disclose your e-mail address and decide as to whether you want to receive our press releases or our newsletters. Please note that in case of these international publications the access and control over the subscriber database is exercised by Schoenherr Rechtsanwälte GmbH (Vienna), which acts as controller in relation to such data ([link](#)).

(ii) **Events**

What do we mean by "Events"?

Schoenherr organises a series of events, including in-person, online or hybrid attendance events, which can have various formats, such as: (i) events for the delivery of legal content (for instance, conferences, workshops, training programmes, round tables, business breakfasts etc), where Schoenherr lawyers/ employees are speakers; or (ii) networking events (for instance, cocktail parties, informal gatherings) hosted by Schoenherr lawyers/ employees ("**Events**"). The Events can be organised either by Schoenherr alone (own Events) or together with specialised event organisers and/or various Schoenherr clients and/or collaborators, including events organised by third parties where Schoenherr is a sponsor/ partner and/or where one of our team members is invited as speaker (partner Events).

Who attends these Events?

In addition to our team members who are speakers, hosts and/or organisers of the Events, other persons taking part include (i) attendees and (ii) guest speakers.

Own Events target exclusively private or public companies, organisations, authorities and institutions, in their capacity as (existing, past or prospective) Schoenherr clients, collaborators (including for instance professional associations where we are members or whose members we want to become, event organisers, professional services providers with whom we usually work, representatives of education institutions, law firms, tax or financial advisory firms, real estate brokers etc) or any other entity with whom one of our team members has a contact established as part of his/her professional activity. Said entities are represented to Events by their employees/ collaborators/ representatives/ shareholders (including, in some cases, by third parties designated by such, for instance but without limitation to their external legal counsel). Participation to own Events is usually made by invitation; however, in practice some of team members of an invited entity choose to forward the invitation they receive to his/her colleagues within the same entity.

Attendees to Events are rarely individuals who do not have one of the abovementioned capacities. However, in some cases we can invite individuals as speakers to our Events who have an established reputation in certain areas.

What is the goal of these Events?

Events organised for the delivery of legal content provide detailed information on legislative developments, trends or amendments in different areas of law and/or provide the framework for discussing or promoting good practices in the legal field in regard to certain topics and/or are aimed to train attendees, for instance as part of compliance programmes implemented by entities in which participants are part. Networking events allow attendees to meet and network with our team members and with other attendees.

What Event attendees' personal data do we process and how do we use such data?

We will use your contact details to send out invitations to Events. As a rule, you will receive such invitations by e-mail from one of our team members with whom you have established a contact in the course of his/her professional activity. This can also cover the situation when you attended our own Events or partner Events during which you came in contact with our team members.

In some cases, you will receive said invitations from one of our marketing team members, in case you expressly ask for an invitation (for instance, when you find details about an Event on our website or on our LinkedIn page) or if one of your colleagues in the entity where you are a team member, upon receiving an invitation from us, asks us to also forward such to you.

We will process a limited amount of personal data, such as your name, your company, your position within your company, and your e-mail address, in order to keep records on attendees and speakers at our Events and to ease communication with them as part of organising and carrying out each Event.

We will send you communications regarding the organising and carrying out of an Event as a rule by e-mail. Such communications can include, for instance, in addition to the invitation itself, links to registration forms, registration confirmations, details regarding the Event (for instance, location, date, speakers or amendments thereof), post-event send out of slides used by speakers during their presentations and/or of feedback surveys etc ("**Event Communications**").

In certain cases, we can process your name, surname, e-mail address and company name, in the context of participating at our Events, for generating and using certain individual QR codes to more easily identifying you and allowing you access to our Event's premises (check-in). In this respect, we will be assisted by a provider, who is acting as a data processor on our behalf, and to whom we disclose such personal data belonging to you in line with applicable legal requirements. In this respect, you will receive from us (either directly or through our contractual partner) a communication containing an individual QR code, which can be scanned at check-in for identification purposes to facilitate your access to the Event's location.

Based on what legal grounds do we process your data in regard to such Events?

We send invitations to our Events in accordance with the relevant legal provisos, based on our legitimate interest (art 6 para 1 lit f) GDPR), as follows:

- To Event attendees and/or speakers from (existing or past) Schoenherr clients | in this case, we send invitations to Events to employees/ collaborators/ representatives/ shareholders of entities who are or used to be Schoenherr clients (including, in some cases, through third parties designated by such – for instance but without limitation to their external legal counsels);
- To Event attendees and/or speakers from entities with which we have or used to have a business relationship, other than clients (Schoenherr collaborators, entities in the legal services sector – public

notaries, lawyers, court bailiffs etc, real estate brokers, investment funds, Schoenherr suppliers, professional associations where we are or used to be members, public authorities with which we interact or have interacted in the course of our professional activity, education institutions with which we collaborate or have collaborated etc) | we send invitations only to such entities' members with whom one of our team member has established a contact in the course of his/her professional activity or otherwise to another relevant e-mail address obtained in the course of our professional activity;

- To Event attendees and/or speakers from entities with which we are interested to develop a business relation (for instance, by attracting such as clients or collaborators or suppliers of Schoenherr, or professional associations whose members we are interested to become, or education institutions or students' associations with which we would be interested to collaborate etc) | we send invitations only to such entities' members with whom one of our team member has established a contact in the course of his/her professional activity or otherwise to another relevant e-mail address obtained in the course of our professional activity.

In any case, invitations are sent to prospective attendees especially in consideration of the pre-existing and/or long-term relationship they have with our team members, as well as the interest expressed by them during the Events. Thus, we address to you without attempting at any time to affect your fundamental rights and freedoms in any way.

In any case, if you do not wish to receive invitations to our Events, you can oppose at any time, by sending a request in this respect to the contact details provided under section 10 below, or by other means available within the invitation.

In case we have to require your consent in order to send invitations to Events to you, we will make sure to obtain your valid consent (in accordance to art 6 para 1 lit a) GDPR), which you can withdraw at any time. Such withdrawal of your consent will not affect any prior processing activities carried out by us.

Once you decided to participate to one of our Events, Schoenherr will send Event Communications to you, as described above. Such processing is based on our legitimate interest (art 6 para 1 lit f) GDPR) to ensure the smooth organization of our Event.

Also, in relation to our Events, we may collect your image (photo/video) as participant/ speaker to the Event, in order to promote the Event within Schoenherr and also outside the international Schoenherr network. We will carry out such processing activity only based on your consent (art 6 para 1

lit a) GDPR), which you can withdraw at any time; such withdrawal will not affect any prior processing activities carried out by us.

In certain cases, we may need to collect images (photo/video) from our Events, which do not target you directly and do not aim to identify you, but in which you may be captured, for example in case of panoramic images (from the back of the room/ venue or from angles from which you are not targeted) taken during Events, capturing the location at which such Events are being held. We will carry out such processing activities for marketing purposes, in order to online promote our Events, for internal justification purposes and for such to serve as a reference for future Events, based on our legitimate interests (art 6 para 1 lit f) GDPR) of promoting our activities and for ensuring adequate management/ planning of Events within Schoenherr.

(iii) **Referrals**

We may process your contact details (name, surname, company, phone number, e-mail, city, country) for marketing purposes in from of contributions to legal directories.

In marketing activities regarding legal services, the term "Legal Directories" describes a series of products released by companies that, based on an independent research, asses, identify and rank by performance lawyers and law firms active in various jurisdictions and practice areas. The purpose of this marketing activity is to obtain credible third-party endorsement from internationally recognized research organisms, and ultimately to use the rankings and recommendations released by the Legal Directories regarding our law firm and our lawyers as a differentiation means in our promotional activities and as a profile raising/ branding marketing technique.

Schoenherr contributes with details in the research conducted each year by three companies that create international Legal Directories: Chambers and Partners, Legal500 and IFLR1000 (the "Legal Directories"). The research methodologies of these Legal Directories are based on collecting feedback from clients, former clients, consultants, and/ or other lawyers. As part of this research process, we are required to supply a list of referees, whom the Legal Directories may interview via telephone or e-mail during their research. All Legal Directories base their research on these referees' feedback. The referees can be clients, former clients, counter-party lawyers in various projects, other consultants or experts in general, or persons who are aware of our activity. The Legal Directories ensure that interviews with referees (either conducted by phone or in writing) are non-attributable and any quotes must be published anonymous.

In this context, we will ask for your explicit consent to send your contact details to the Legal Directories, for the purpose of carrying out the above-mentioned research. The legal ground for such processing is represented by

your consent (art 6 para 1 lit a) GDPR). You can withdraw your consent at any time; however, the withdrawal of consent will not affect in any way the processing we have performed before the withdrawal.

(iv) **Social media and website**

Schoenherr uses the social media pages LinkedIn and Facebook, and the website <https://www.schoenherr.eu> to promote its activities and Events. Both social media pages and the website are held and administered by Schoenherr Rechtsanwälte GmbH (Vienna), whereas Schoenherr Romania sends/ contributes with content for publication.

Therefore, the data disclosed about you via our social media pages may include images from Schoenherr Events, where you participated, as well as your name, position/ profession and company, if you participated as speaker at a certain Event. Regarding the website, we may publish information about Events, including speakers' personal data (name, position/ profession and company).

We will carry out such processing activity only based on your consent (art 6 para 1 lit a) GDPR), which you can withdraw at any time; such withdrawal will not affect any prior processing activities carried out by us.

In certain cases, we may disclose, on our social media pages, images (photo/ video) from our Events, which do not target you directly and do not aim to identify you, but in which you may be captured, for example in case of panoramic images (from the back of the room/ venue or from angles from which you are not targeted) taken during Events, capturing the location at which such Events are being held. We will carry out such processing activity for marketing purposes aiming at online promoting our events, based on our legitimate interest (art 6 para 1 lit f) GDPR) for promoting activities within Schoenherr.

2.5 In relation our headquarters' visitors

(i) **Video surveillance**

The entrance of our building and the floors occupied by us within the building are equipped with a video surveillance system to protect our offices and in particular information, which our clients have entrusted to us. This system will therefore produce video recordings when you visit our offices. For this reason, the system will collect video recordings when you visit our office. These recordings are stored in encrypted form for a period of maximum 30 days. We will access these video recordings (which include recording collected by our video cameras and recording collected by video cameras of the building owner) only if there is a special and justified reason related to the security of our office and to confidentiality of the information we hold.

The processing ground for collecting the video footage as described above is represented by our legitimate interest (art 6 para 1 lit f) GDPR) to assure the security and protection of persons and of our goods.

(ii) **WI-FI connection**

If you want to connect to our WI-FI network during your visit at our office, our system will allocate automatically a dynamic IP address which is generated randomly and is not able to identify you or your device, and which will be stored only for the period of your connection to the system.

2.6 If you apply for an internship, or participate at a contest, seminar or any events dedicated to students

Schoenherr aims to be actively involved in the practical training of students by organizing internships, competitions, seminars (including online) or other events dedicated to students who are interested to pursue a career in a law firm. If you wish to be informed about, invited at or to attend these events, Schoenherr will process your personal data as a student/participant, for the following purposes:

- (i) the organization of the selection process, where applicable, and the selection of participants/winners in the respective internships, competitions or events, based on our legitimate interests (art 6 para 1 lit f) GDPR), respectively to ensure the smooth running of the selection process, to ensure the participation of only eligible students at the events, and to select the most suitable students for the internships and to designate the winners of the competitions according to the established criteria;
- (ii) the organization and smooth running of the internship, competition or event in which you participate, based on our legitimate interests (art 6 para 1 lit f) GDPR), respectively to ensure their development in optimal conditions;
- (iii) to take the necessary steps to conclude the internship contract, or any other type of contract between Schoenherr and you, as well as to fulfill our contractual obligations to you, including awarding the prizes to the winners of the competitions (art 6 para 1 lit b) GDPR);
- (iv) if applicable, for the fulfillment of our specific legal obligations (art 6 para 1 lit c) GDPR);
- (v) collecting feedback on the events in which you participate, based on our legitimate interests (art 6 para 1 lit f) GDPR), respectively to ensure their improvement;
- (vi) promoting Schoenherr events on our social media pages or on the website www.schoenherr.eu (for example, by posting pictures or opinions of

participants), based on your express consent (art 6 para 1 lit a) GDPR) which we will collect separately, as appropriate;

- (vii) also, based on your express consent (art 6 para 1 lit a) GDPR) we will be able to contact you after the end of the selection process/internship, in order to present you any future employment/collaboration opportunities.
- (viii) sending you communications for informing you about/ inviting you at our students' programmes/ initiatives, which may be of interest for you, based on your express consent (art 6 para 1 lit a) GDPR), which we will collect separately, as appropriate.

If you decide to consent to the processing under (vi), (vii) or (viii) above, you may withdraw your consent at any time (for cases under (viii) above, you may decide so including when such communications are no longer of interest for you, for example at the end of your studies) by written notice to any of the contact details in section 10 below. If you withdraw your consent, this will not affect the lawfulness of the processing which occurred before your withdrawal.

Given the purposes above, depending on the relevant circumstances, we will process the following categories of personal data in order to fulfill such purposes:

- (i) identification and contact data (name and surname, e-mail, telephone, signature);
- (ii) the university and year of study, and the chosen field of specialization, if applicable;
- (iii) national identification number (CNP) or other data from your identity card, if applicable (for example, when we conclude a contract directly with you, or if we have specific (fiscal) legal obligations in this regard);
- (iv) bank details (IBAN account), for transferring monetary prizes to competition winners, or for paying the amounts agreed in the case of paid internships;
- (v) login details (in case of online events);
- (vi) image and/or feedback on the event, if applicable
- (vii) other data that you provide to us or that we request depending on the specific event and the specific selection criteria (CV, letter of intent, grades in school, essays etc)

2.7 If you apply for a position with Schoenherr

If you apply for a position within Schoenherr, we will process your personal data in order to carry out and organize the recruitment and employment process. Depending on the relevant circumstances and applicable legal or contractual requirements, we will process the following categories of personal data in connection with your recruitment, respectively the conclusion of your employment/collaboration contract:

- (i) information that you directly provide to us for your recruitment and/ or employment, or information that is provided to us by our recruitment service providers, or by our affiliate Schoenherr Rechtsanwälte GmbH through the career portal; for example: identity data (name, surname, national identification number (CNP), series and number of identity document, issuing body, date of issue, gender, age etc), contact details (telephone number, home and/ or correspondence address, e-mail address etc), driving license data, where applicable, medical files/ information required for employment (if you have been selected for a specific position), data on your education, including diplomas, certificates, attestations regarding studies and/ or various qualifications, as the case may be, data existing in your CV that you have sent us (for example: photo, studies, qualifications, professional experience and previous jobs , professional and personal skills, hobbies etc);
- (ii) information we obtain from third parties (for example: references from former employers, data obtained from public authorities, or from public sources etc).

We process this data to analyze your application and to assess your eligibility/ competence for a particular position, based on the following processing grounds:

- (i) on the basis of your consent (art 6 para 1 lit a) GDPR), which you may withdraw at any time by sending a written notice to any of the contact details under section 10 below; such withdrawal will not affect any prior processing activities carried out by us;
- (ii) in order to conclude the individual employment/ collaboration contract with you, in order to take the necessary steps in this respect (art 6 para 1 lit b) GDPR), if you have been selected and accepted for a certain position within Schoenherr;
- (iii) in order to fulfill our legitimate interests (art 6 para 1 lit a) GDPR), to organize the recruitment process, and to ensure the filling of vacancies by the most suitable candidates;
- (iv) in order to fulfill our legal obligations (art 6 para 1 lit c) GDPR) in relation to employment, social security and social protection, personal data protection etc

At the same time, based on your express consent (art 6 para 1 lit a) GDPR) we will be able to contact you after the end of the recruitment process, in order to present you any future employment/ collaboration opportunities. If you decide to give your consent to this, you may withdraw it at any time by sending a written notice to any of the contact details under section 10 below. If you withdraw your consent, this will not affect the processing that has already taken place.

2.8 If you are a family member of a Schoenherr employee/ lawyer

We process some personal data of family members or other persons indicated by our employees, respectively our collaborating lawyers, which generally consist of identification and contact data provided to us by the employee/ lawyer (name, surname, personal identification number, address, telephone number).

We usually process this personal data in the interest of you and the employee/ lawyer for purposes that include: (i) co-insurance in the national health system, (ii) establishing and granting benefits provided by applicable labor law, or (iii) contact in the event of an emergency or disaster, (iv) provision of facilities and/ or benefits for you and our employee/ lawyer.

We process this data based on the following processing grounds:

- (i) in order to fulfill our legal obligations as employer;
- (ii) for the protection of the vital interests of the employee/ lawyer, in case you were named as a contact person in case of emergency;
- (iii) in order to fulfill our legitimate interests, as well as your interests and those of the employee/ lawyer who provided us with your data;
- (iv) for certain facilities/ benefits, based on your consent, you may withdraw at any time by sending a written notice to any of the contact details under section 10 below. If you withdraw your consent, this will not affect the processing that has already taken place.

2.9 If you exercise your rights under the GDPR

When you exercise your rights provided under the GDPR as data subject, we are must process your data (name, surname, image, other data included in your identification card, other data you choose to send us), in order to manage your requests under the GDPR. In this case, the processing ground for the use of your data is represented by our legal obligation (art 6 para 1 lit c) GDPR).

2.10 If Schoenherr is subject to specific transactions and operations

We cannot exclude that any of the Schoenherr entities is subject to transactions and operations. In such case, we may be required to disclose specific information about our activity to third parties, which may include personal data, including personal

data about our clients/ their representatives, employees/ lawyers/ their family members, candidates, contractual partners/ their representatives etc. We will transfer such data only under strict observance of our statutory confidentiality obligation and by limiting the transferred data as much as possible. In this case, the processing ground for the transfer of your data is represented by our legal obligation (art 6 para 1 lit c) GDPR) or our legitimate interest (art 6 para 1 lit c) GDPR) to perform the transaction or operation smoothly.

2.11 The establishment, exercise and defense of our rights

We have a general interest to establish, exercise and defend our rights, and we believe it is reasonable to invoke specific documents and information for this purpose, including when they reveal personal data about our clients/ their representatives, employees/ lawyers/ their family members, candidates, contractual partners/ their representatives. We will do this only under strict observance of our statutory confidentiality obligation and by limiting the used data as much as possible. In this case, the processing ground is represented by our legitimate interest (art 6 para 1 lit f) GDPR).

3 Recipients of your personal data

Depending on the purpose and extent of our mandate, as well as on the purposes of data processing, it is possible that we transmit your personal data to the following categories of recipients:

Recipients of clients/ clients' staff data

- (i) Persons/ entities that are or may be connected to the object of the contract concluded between us and the client (courts and arbitration commissions, other public authorities, opposing parties, lawyers/ consultants/ representatives of the opposing party, insurance companies, services providers etc) in view of rendering our services;
- (i) Services providers/ collaborators involved in the performance of the mandate that you entrusted us with (including our data processors – e.g. couriers, archive service providers, accountants);
- (ii) Schoenherr Rechtsanwälte GmbH, for internal purposes related to billing, client management, IT services, security, other administrative services;
- (iii) Other entities from the Schoenherr group, in the case of mandates with an international component;
- (iv) Public institutions and authorities, if this is required as per the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of our services providers'/ collaborators' data or of their representatives

- (i) Payment services providers, banks, or other services providers (e.g. couriers, archive service providers, accountants);
- (ii) Schoenherr Rechtsanwälte GmbH, for internal purposes related to IT services, security, other administrative services;
- (iii) Public institutions and authorities, if this is required as per the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of other third parties' data

- (i) The Schoenherr client who entrusted us the mandate, based on the contract we concluded with the client;
- (ii) Other persons/ entities that are or may be connected with the object of the mandate that the client entrusted us with (courts and arbitration commissions, other public authorities, opposing parties, lawyers/ consultants/ representatives of the opposing party, services providers etc);
- (iii) Services providers/ collaborators involved in the performance of the mandate that our client entrusted us with (including our data processors - e.g. couriers, archive service providers, accountants);
- (iv) Schoenherr Rechtsanwälte GmbH, for internal purposes related to IT services, security, other administrative services;
- (v) Other entities from the Schoenherr group, in the case of mandates with an international component;
- (vi) Public institutions and authorities, if this is required as per the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of data used for marketing purposes

- (i) Services providers/collaborators involved in our marketing activities (Event organizers, Legal Directories, Schoenherr Rechtsanwälte GmbH, social media administrators, logistics providers, journalists, other marketing services providers, IT services providers, providers of QR codes related to specific services such as for facilitating your identification and access to Event's locations etc);
- (ii) Other entities from the Schoenherr group, in view of internal promotion of our activities and events;

- (iii) Public institutions and authorities, if this is required as per the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of data of our headquarters' visitors

- (i) As a rule, we do not transmit such data to third parties, except for when this is required by public authorities, in accordance with the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of students' data/ participants at internships, competitions, seminars or other events for students

- (i) Schoenherr Rechtsanwälte GmbH, for internal purposes related to IT services, security, other administrative services (for example, when applications are submitted via the website www.schoenherr.eu);
- (ii) if applicable, other service providers/ collaborators involved in organizing or conducting our events;
- (iii) public institutions and authorities, if required by law, or if the data are necessary to establish, exercise or defend our rights;
- (iv) if applicable, the administrators of the social media pages (if we promote the event on our social pages).

Recipients of candidates' data

- (i) Schoenherr Rechtsanwälte GmbH, for internal purposes related to IT services, security, other administrative services;
- (ii) public institutions and authorities, if this is required as per law, or if the data is needed to establish, exercise or defend our rights.

Recipients of employees/ lawyers' family members data

- (i) benefit providers, if it is necessary that Schoenherr discloses your data to the provider;
- (ii) public institutions and authorities, if this is required as per the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of data used for the management of your GDPR rights requests

- (i) Schoenherr Rechtsanwälte GmbH to assist us to identify the data concerned by your requests in the systems managed by Schoenherr Rechtsanwälte GmbH, and, of course, you;
- (ii) service providers (e.g. couriers, archive service providers, IT);

- (iii) public institutions and authorities, if this is required as per the law, or if the data is needed to establish, exercise or defend our rights.

Recipients of data in relation to transactions or operations that involve Schoenherr entities

Public authorities, private entities that have an interest to receive and examine information on the Schoenherr entities in connection with the transactions and operations carried out, other consultants/ lawyers/ experts involved in such transactions or operations.

Recipients of the data used to establish, exercise or defend our rights

Courts and arbitration commissions, other public authorities, other lawyers/ consultants/ experts, services providers, insurance companies, banks, public notaries, bailiffs, companies that grant financing, operators of electronic archive for secured transactions etc.

In all the above-mentioned cases, we will always ensure that the transfer of your personal data is made in accordance with legal data protection regulations and that we protect your data adequately.

4 Transfer of your personal data outside the European Union

Some of the above recipients of your personal data may be located abroad or outside the EU/ EEA. For example, in case of a mandate with international aspects, if necessary, we may transfer your data to other Schoenherr entities outside EU (Moldova, Serbia, Montenegro, Turkey). It is possible that the level of data protection in countries outside the EU/ EEA is not like the level of protection in Romania.

For this reason, we will transfer your personal data only to countries for which the EU Commission decided that they have an appropriate level of data protection, or we will take measures to ensure that all recipients maintain an appropriate level of data protection; for this purpose, we will conclude standard contractual clauses (2010/87/EC and/ or 2004/915/EC). We may also seek your consent to such transfer, as permitted by the GDPR.

5 Storage of data

We will not store your data for any longer than is necessary to fulfil our contractual or legal obligations and to allow us to establish, exercise or defend our rights, if the case, or for periods of time that we consider reasonable.

Thus, as regards our **clients** and **contractual partners, respectively their representatives**, we will store your data for the entire duration of the contract concluded with you/ your company, plus an additional five-year period starting with

the end of the calendar year when we finalised the provision of our services to you/ the company you represent, which is necessary for us to ensure that we can defend and exercise our rights in court, if needed. The same term of 5 years shall apply also in case of **other third parties**, whose data we process within the performance of our mandate.

Also, the applicable legislation requires us to store (i) data collected for the purpose of prevention of money laundering for a five-year period, and (ii) your data from financial and accounting documents (such as invoices, fiscal notes, receipts, evidences of the time spent by us with the provision of our services) for a period of five or ten years, depending on the document.

Concerning our **marketing** activities, our marketing team will store your data as follows:

- the data of subscribers to newsletters will be stored for the subscription period, until withdrawal of your consent for receiving our newsletters;
- the data related to your attendance to our Events will be stored in our marketing data base for a period of three consecutive years as of the most recent invitation to one of our Events received by you, to be able to invite you also to future Events. Following said period, we shall keep data regarding your position, company, and Events in which you have participated, with such data being stored for statistical purposes and for the assessment of our marketing activities, however, by ensuring your anonymity. Your personal data disclosed to our QR codes provider will be deleted from the provider's platform on the day following the respective Event;
- if you agree to participate in the Legal Directories' research as a referee for us, we will store your data for a two-year period as of your most recent inclusion by Schoenherr Romania on the referees list sent to international legal directories;
- if you unsubscribe from our Newsletter, or you expressly ask us to no longer send invitations to our Events to you or to no longer include you on the lists of referees to Legal Directories, we will store your data in dedicated lists, to ensure that we respect your decision in this respect in the future;
- your data posted on our social media pages or on the website www.schoenherr.eu will be stored for the entire duration of our social media account, or on the duration of the website, respectively, or until you will ask us to delete your data from the social media pages or from the website.

In the case of students/ participants in internships, competitions, seminars or other events dedicated to students, we will keep the data collected for the entire duration of the selection process, contest, seminar or event in which you participated.

If you have been named the winner of a cash prize in a competition, we will keep your data in accordance with applicable accounting and tax laws (5 or 10 years, depending on the required accounting and tax documents).

If you have been selected for an internship we will continue to store the correspondence you had during the internship including for a period after the end of the internship, to ensure the continuity of the projects in which you were involved (in principle, for a period of 6 months after the internship).

Also, any posts on our social media pages or on the website www.schoenherr.eu will be stored for the duration of our account on the respective social media page, respectively for the duration of the website, or until you ask us to delete your data from the social media pages or the website.

If you have expressed your consent to receive communications for informing you about/ inviting you at our students' programmes/ initiatives, we will retain the related personal data for a period of 4 years from the time you consented, unless you withdraw consent at any earlier time (for example, you can also do so including if the information/ invitations regarding our students' programmes/ initiatives are no longer of interest to you, such as at the end of your studies).

In addition, we will be able to store your data after the finalisation of selection process/ internship/ contest/ seminar/ event:

- (i) to the extent that you have given your consent to be contacted later, with a view to future employment/ collaboration opportunities, for an agreed period;
- (ii) in order to be able to establish, exercise or defend our rights/ interests, including in court - in principle, we keep the data for this purpose if there are indications, in maximum 6 months from the completion of the selection process or competition, that such situations may occur, in which case we will keep only the relevant and necessary data until the final settlement of such cases; or
- (iii) for the fulfilment of our legal obligations, for the periods established by law or for the period necessary to prove the fulfilment of these obligations.

In the case of **candidates**,

- (i) if you have been accepted for a position within Schoenherr, respectively if you have accepted a job offer from us, followed by the conclusion of the employment contract, your personal data will be included in your personnel file, which will be kept according to the legal provisions in force;
- (ii) if you have not been admitted to any position within Schoenherr, or if you have not accepted a job offer from us, the Schoenherr will proceed to delete your data as soon as possible after it is obvious that you will not be offered

a job by us, or that our job offer is not accepted by you or that you do not intend to sign the employment contract with the company;

- (iii) however, we will be able to keep the data of the rejected candidates for an additional period of time:
- to the extent that they have given their consent to be subsequently contacted in relation to future employment/ collaboration opportunities, for an agreed period of time,
 - in order to be able to establish, exercise or defend our rights/ interests, including in court - in principle, we keep the data for this purpose if there are indications, within a maximum of 6 months from the completion of the recruitment procedure, that such cases may occur; we will keep only the relevant and necessary data until the completion of any such procedures, or
 - for the fulfilment of our legal obligations, within the terms established by law, or as long as necessary to prove the fulfilment of these obligations.

In the case of **family members** of our employees/ lawyers, we will keep their data for the entire duration of the employment/ collaboration contracts concluded with our employees/ lawyers, and for the terms required for the fulfilment of our legal obligations, or establishment, exercise, defence of our rights.

If we use your personal data **to conclude transactions involving Schoenherr entities, to manage your claims under GDPR, or to exercise our rights**, we will retain this data for the general statute of limitation period (3 years), or until the final settlement of a possible dispute in which your personal data may be required.

In any case, we may process personal data for the purpose of **establishing, defending, exercising our rights and legitimate interests**, to the extent necessary for this purpose, in which case the relevant data will be kept until the final completion of any disputes (including enforcement).

6 Website

6.1 Website

You can use the website of our affiliate Schoenherr Rechtsanwälte GmbH and access its public content generally without having to disclose your personal data. Schoenherr Rechtsanwälte GmbH only records information provided by your internet provider, including but not limited to your IP address and the duration and time of your visit. This information is saved during the time of your visit and analyzed solely for statistical purposes under strict protection of anonymity (for details see the cookie policy: <https://www.schoenherr.eu/cookie-policy/>).

Schoenherr Rechtsanwälte GmbH also collects your personal data if you disclose such data voluntarily or explicitly when you visit the website in connection with using the services offered on the website (e.g. press releases and newsletter, career portal). Schoenherr Rechtsanwälte GmbH only uses this information for the specific purpose of the individual service and in compliance with applicable laws.

You can find more details on the processing of your personal data by Schoenherr Rechtsanwälte GmbH in its privacy statement, available at [link](#).

6.2 Career portal

You can use the career portal from the website www.schoenherr.eu to submit an application for a job opening within Schoenherr. We are happy to receive your application. In this case, we will need certain information to assess whether we can offer you a suitable position. This, we will collect through the website the personal data which you have disclosed in your job application: academic degree, name, contact details, interests, CV, letter of motivation, reference letters and any other information and documents you have sent in.

Please use the following link to submit your application: <https://www.schoenherr.eu/careers/>. This page is controlled by our affiliate Schoenherr Rechtsanwälte GmbH, which will make available to us all the information you uploaded on the career page. Once your application has reached us, we will process your personal data in accordance with section 2.VI above.

6.3 Cookies

The website www.schoenherr.eu uses "cookies" to ensure that the services offered via the website are user-friendly and more effective for clients.

A "cookie" is a tiny text file that is downloaded by the web server on the hard drive of your computer via your browser and allows the website to recognize you as a user if a connection is made between the web server and your browser. Cookies help establishing the frequency of use and the number of users who visit the website. The content of the cookies used by the webpage is confined to an identification number and does not allow to personally identify a user. The main purpose of cookies is to recognize the user of a website.

The website www.schoenherr.eu uses two types of cookies:

- Session cookies: These are transient cookies stored in temporary memory, which are automatically erased when you close your browser;
- Permanent cookies: Cookies are stored on your hard drive to enhance user friendliness and allow recognizing you when you visit the website again.

You can adjust the settings on your browser (i) to activate the functionality which notifies you on the setting of cookies and to allow cookies only in a particular case;

(ii) you may disable cookies for certain cases or in general; and (iii) you can also activate functionality which will automatically delete cookies when you close your browser. Disabling cookies may however result in disabling certain functionality and features of the site.

The processing ground for the use of cookies is your consent (art 6 para 1 lit a) GDPR), expressed through the cookie banner on the website. You may withdraw your consent at any time. For more information related to our cookie policy, please visit <https://www.schoenherr.eu/cookie-policy/>.

6.4 Server-log-files

For optimized system performance, user friendliness and the provision of useful information on our services, the website provider automatically collects and stores so-called server log files, which your browser automatically transmits to the website www.schoenherr.eu. This information includes your IP address, browser and language settings, operating system, URL referrer, your internet service provider, and the date/ time of your visit.

This data is not pooled with sources of personal data. We reserve the right to examine this data later on, if there is solid evidence that suggests unlawful use. The processing ground is our legitimate interest (art 6 para 1 lit f) GDPR) to ensure the functionality, stability and security of the website.

7 Data security

We have taken appropriate organizational and technical measures to ensure the protection of your personal data in particular against unauthorized, unlawful or accidental access, processing, loss, use and tampering.

In spite of our efforts of ensuring an appropriately high standard of security requirements at all times, it cannot be ruled out that information you have provided via the internet will be accessed or used by other persons.

Please note that we can therefore not assume any liability whatsoever for the disclosure of information due to errors in the data transfer and/ or unauthorized access by third parties not caused by us (e.g. hacking of e-mail accounts, telephone, or interception of fax messages).

8 Notification of data incidents

We aim to ensure that data security incidents are detected at an early stage and immediately reported to you or to the competent supervisory authority, in accordance with the applicable legal requirements.

9 Your rights in connection with your personal data

As a data subject according to GDPR, you have *the right of access* and information on your personal data that we process, on their origin and recipients, the duration of storage, and the purpose of data processing.

If we process inaccurate or incomplete personal data, you have *the right to rectification* or completion of such data.

You may also request us *to erase* your data, which have been processed unlawfully. You will be entitled to exercise this right in specific situations set out in the GDPR; if, on your exercise of this right, we will consider that we can keep your personal data for certain purposes, we will inform you in this respect within the applicable legal periods.

If it is unclear whether your personal data are inaccurate, incomplete, or unlawfully processed, you may request us *to restrict* the processing of your data until the matters raised by you are finally solved.

At the same time, you have ***the right to oppose*** to the processing of your personal data for reasons related to your particular situation, when we process these data relying on a legitimate interest. If you exercise your right to oppose, we kindly ask you to give the reasons for doing so. If you send us a reasoned opposition request, we will consider the facts and either we will cease or adjust our processing activities, or we will inform you on our legitimate and justified reasons for which it is necessary to continue the processing of your data.

Please note that these rights complement each other; you can therefore only request us to either rectify or complete or erase your data.

In certain cases, you also have the right to receive your personal data processed by us in a machine-readable format of our choice, or to instruct us to transmit such data directly to a third party of your choice; we will not object to transmitting your data to the third party you designated in such circumstance.

As mentioned above, when we process your data relying on your consent you have the right to withdraw your consent at any moment, such withdrawal of consent not affecting the lawfulness of processing based on consent before the moment of withdrawal.

You can exercise any of the above-mentioned rights by a written request using any of the contact details mentioned in section 8 below. We kindly ask you to send us, together with your inquiries, a copy of an identity document to verify your identity.

We ask that you notify us of any change in your personal data that you provided to us.

Despite our best efforts to guarantee the protection and integrity of your data, we cannot fully rule out that disagreements will arise on the nature of the use of your data. If you consider that we are unlawfully using your data, you may lodge a complaint directly with the Romanian Data Protection Authority (www.dataprotection.ro). However, we hope that you will contact us first and we can address and dispel any queries, unclarities or other matters that you may point to us.

10 Contact details

For any requests, clarifications or additional information in connection you're your personal data we kindly ask you to contact us using any of the below contact details:

Schoenherr si Asociatii SCA (Societate Civila de Avocati)
Bulevardul Dacia Nr.30, sector 1
RO-010413 Bucharest
C.I.F.: 17272298

You can also contact us via email at dataprotectionRO@schoenherr.eu.

11 Miscellaneous

We reserve the right to update this privacy statement periodically to reflect any legal and/ or technical changes and/ or requirements, or any changes to our business activities (previous versions: May 2018, August 2019, October 2020, November 2022 and September 2023).

We will take reasonable efforts to inform you of such updates immediately. The date of the most recent update is visible on the first page of this document.