

Privacy and cookie notice Avedon

1 Introduction

We are committed to protecting your privacy in line with applicable data protection laws and regulations, in particular the General Data Protection Regulation (EU) 2016/679 and (local) implementation laws.

This external privacy notice (hereinafter: **notice**) explains what personal data we process, for what purposes, how we protect your personal data and what your rights are in relation to your personal data. 'Personal data' (hereinafter: **data**) is any information relating to a natural person that can be identified directly or indirectly, in particular by reference to identifiers, such as name and address.

In the course of our business and providing our services, we need to process data. This notice applies to any data processing of users of our websites, our (potential) customers, clients, business partners, investors, shareholders, (portfolio) companies or other parties related to our business.

Our website may contain links to other websites that may process your data. This notice is not applicable to any data processing on third party websites. We are not liable for any damages as a consequence of any data processing on those websites. Those websites are subject to their own conditions and notices.

This notice may change from time to time. The most recent notice can be found on our website. We encourage you to consult this notice regularly in order to stay informed of any changes.

If you have any complaints or questions about this notice, please feel free to contact us (§ 2).

2 Who is the data controller?

Currently, we have the following establishments:

Avedon Capital Partners B.V.

Apollolaan 153

1077 AS Amsterdam

T +31 (0)20 8002 350

E info@avedoncapital.com

Chamber of Commerce No. 27318150

Avedon GmbH

Theo-Champion-Str. 2

40549 Düsseldorf

T +49 (0)211 5988 908

E info@avedoncapital.com

Chamber of Commerce No. 193224

Avedon Capital Partners B.V. and Avedon GmbH will be collectively referred to as **Avedon, we, our, us** etc. Avedon is the 'controller' which means that it determines the purposes and means of the data processing.

3 What data do we process?

We process the following data from our (potential) customers, clients, business partners, investors, shareholders, (portfolio) companies or other parties related to our business:

- *Basic information:* we ask you to provide us with basic information, such as your name, prefixes, surname, title, gender and date of birth for the purposes as set out in this notice, including enabling us to provide you with information, respond to your enquiries, offer our services to you or in relation to a (potential) business or contractual relationship with you or your business.
- *Contact information:* we ask you to provide us with your contact details, such as your address, e-mail address and phone number for the purposes as set out in this notice, including enabling us to respond to your enquiries or enabling you to register for e-mail alerts (if any).
- *Financial information:* in case of any transactions, we ask you to provide us with financial information, such as your bank account number or credit card details.
- *Information from other sources:* we also collect information from other sources when conducting our day-to-day business, such as those publicly available on external websites or other information you choose to provide us with.

We process the following data from our website visitors:

- *Information we obtain automatically:* we collect information about you (automatically) when you visit our website. Our website uses cookies or similar technologies which enable us to estimate our audience size and usage patterns, store information about your preferences and allow us to recognise

you when you return to the website. This information is processed for analytical purposes or to improve our website. For more info, please read § 12.

4 For what purposes do we process your data?

We will only process your data if necessary for one or more specific purposes, such as, to:

- Verify your information, identify and contact you
- Assess and respond to your enquiries and requests if any
- Prevent and detect fraud or other crimes
- Process and administer details associated with your investment and service your requests
- Provide you newsletters and other (commercial) information for direct marketing purposes
- Provide you with information about our funds and our other services
- Conduct research and to understand how our website and services can be improved, including through the use of Google Analytics (§ 12)
- Offer and improve any of our services, including our website
- Perform any contract with you
- Fulfil tax, administration, anti-money laundering and other purposes prescribed by law

We will never sell your data to third parties.

5 On what legal basis do we process your data?

We will process your data if the data processing is necessary:

- For the purposes of legitimate interests of Avedon or other parties, unless where such interests are overridden by your interests or fundamental rights and freedoms. We rely on this legal basis for anti-fraud investigations, certain fund related activities for (potential) investors, when reviewing (potential) fund portfolio companies acquisition, monitoring portfolio companies, working with management teams, maintaining business relationships with third parties and to analyse or improve our website.
- For the performance of any contract between you and Avedon, or in order to take precontractual steps at your request, in particular with our investors and portfolio companies.
- To comply with legal obligations, such as tax, administration, anti-money laundering obligations and 'know your customer' due diligence.

6 With whom may we share your data?

Avedon may share your data with third parties in the following circumstances:

- We may share your data with our affiliates, operating groups and subsidiaries if necessary for the purposes as listed above. Avedon will require those parties to conduct activities in a manner consistent with this notice.
- We share your data with our 'processors'. 'Processors' are third parties that process data on our behalf, such as those providing IT, webdesign, technical, HR, marketing or analytical services. They only process your data for specific purposes and in accordance with our instructions. We will only engage processors that provide sufficient guarantees to implement appropriate technical and organisational measures and ensure the protection of your rights. We will also conclude data processing agreements with our processors.
- Employees of Avedon may have access to your data, but only if necessary for the performance of their tasks or specific purposes - and only if they are bound by confidentiality.
- We may share your data if required to do so by law, court order or other legal process, e.g. with law enforcement agencies or other governmental agencies or regulators, to establish or exercise our legal rights or in connection with a corporate transaction, such as a divesture, merger, consolidation, asset sale or in the unlikely event of bankruptcy.
- With advisers, accountants, lawyers and agents acting for us in the course of our day-to-day business subject to an agreement with confidentiality and security provisions.

7 Where does Avedon store or transfer your data?

Due to the nature of our business and the services we provide to our customers, we may need to transfer your data to locations outside the country where you reside. In case we transfer data, we will value the requirement that such transfer is subject to appropriate safeguards.

In case of a transfer from the European Economic Area (**EEA**) to any third party outside the EEA, the data transfer will be governed by a contract which includes the model contractual clauses approved by the European Commission and/or other appropriate safeguards.

Please contact us if you want to know more about the appropriate safeguards and the means by which to obtain a copy of them or where they have been made available.

8 What measures does Avedon take to protect your data?

Avedon has taken appropriate technical and organisational measures to ensure a level of security appropriate to the risks in order to protect your data against accidental or unlawful processing, including by establishing that:

- Your data are protected against unauthorized access
- The confidentiality of your data is being assured
- The integrity and availability of your data will be maintained
- Our personnel or personnel of third parties are trained in information security requirements
- Data breaches will be reported in accordance with applicable laws (§ 9)

9 How do we deal with data breaches?

Under GDPR we need to notify the competent data protection authority or authorities within 72 hours after we have discovered a data breach, unless the data breach is unlikely to result in a risk to your rights and freedoms. When the data breach is likely to result in a high risk to your rights and freedoms, we will also notify the data breach to you without undue delay. In case you will discover a (potential) data breach at Avedon or its website, please contact us immediately (§ 2).

10 How long will we retain your data?

We will retain your data no longer than necessary for the purpose for which we process your data. After the retention period we will delete or anonymize your data, unless we need to retain certain data for another purpose. If that is the case, we will have a legal basis to do so and we will make these data only accessible for that other purpose. An example is that we need to retain certain information for statutory retention periods in order to comply with tax or administration obligations, e.g. 7 years upon preparation of certain tax documents (depending on local law). In those cases, we will only store the data necessary to fulfil our legal obligations. Please contact us if you have questions about specific retention periods.

11 What rights can you exercise in relation to your data?

Based on the law applicable to the use of your data, you may have rights that you can exercise in relation to your data. Note that in some cases we are not required to – fully – comply with your request, as such rights may be conditional or because we have to balance your rights against our rights and obligations to process your data and to protect the rights and freedoms of others. A number of rights you have in the EEA are explained below:

- *Right of access*: you are entitled to have access to your personal data and request a copy of your data and to learn details about how we use your data.
- *Right to rectification*: we take reasonable steps to ensure that your data is accurate and complete. If you believe this is not the case, please ask us to update or amend your data.
- *Right to erasure*: you have the right to ask us to erase your data, e.g. where data processing is no longer necessary for the purpose. However, we must balance this against other factors, e.g. we are permitted not to comply with your request due to legal obligations.
- *Right to restriction of processing*: in certain circumstances, you are entitled to ask us to (temporarily) stop using your data. For example, where you think that your data is inaccurate or where you think that we no longer need to use your data.

- *Right to object:* you have the right to object to processing based on our legitimate interests. We will no longer process data on that basis when you file an objection, unless we have a compelling legitimate ground for the processing. Please note that you can always object to data processing for the purpose of direct marketing.
- *Rights relating to automated decision-making:* you have the right not to be subject to automated decision-making, including profiling, which produces legal effect for you or has a similar significant effect. If you have been subject to an automated decision and do not agree with the outcome, you can contact us and ask us to review the decision.
- *Right to data portability:* you have the right to receive your data which you have provided to Avedon, in a structured, common and device-readable format (such as XML) and to transmit those data to another company without our hindrance. This right only applies where processing is automated and based on your consent or contract.
- *Right to withdraw consent:* currently, Avedon does not rely on consent for data processing. However, if we would ask for your consent, you have the right to withdraw your consent at any time. Avedon will stop further processing as soon as possible after the withdrawal, but this does not affect the lawfulness of the processing before consent withdrawal.
- *Right to lodge complaints.* If you believe that any data processing violates the law, you can contact us and we will address your complaint as soon as possible. You have also the right to lodge a complaint with the competent data protection authority or start proceedings at a court. Click [here](#) for a list of European data protection authorities.

Please contact us if you would like to exercise any of your rights.

12 Cookies

We use cookies on our website. ‘Cookies’ are files that are stored on your device or browser when you visit our website. Avedon might also use techniques which are similar to cookies, such as pixels, scripts, tags or web beacons. We include these techniques under the definition of **cookies**.

For storing and accessing cookies for the sole purpose of performing communication via the internet, we do not need your consent. We also do not need your consent for cookies which are necessary to provide our services or analytical cookies with privacy-friendly settings.

We use Google Analytics with privacy-friendly settings: with this tool we analyse how you and other visitors use our website to get a better understanding of our users and to improve our website. The information, such as the amount of visitors, most popular parts of the website and how much time our visitors spend on our website, will also be processed by Google Inc. in the US. By adding ‘anonymize_ip’ code to the Google Analytics script, Avedon ensures that it does not process the entire IP address. We will delete or anonymise the information in accordance with § 10. For opting out of Google Analytics, please click [here](#).

If you do not longer want Avedon to store cookies on your computer, you may refuse cookies by adjusting the settings in your browser. For instructions on how to do this, please check the Help-function of your browser. However, if you select this setting you may be unable to access certain (additional) services or features of our website. Please note that you are also able to delete the cookies on your device. To control, disable and learn more about cookies you can also click [here](#).

In case of any data processing based on cookies, we will have a legal basis to do so (§ 5), and this notice will apply. In case we would like to use cookies which would require your consent, we will amend this notice and implement a cookiebanner to our website.