

# **PRIVACY POLICY**

**ETC Solar B.V.**

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## Definitions

For the purpose of this Privacy Policy the following definitions apply:

- **“Controller”**: a natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data. In this case ETC Solar B.V.
- **“Customer”**: the natural or legal person ETC Solar B.V. has made an offer to or concluded a purchase agreement with.
- **“Data Subject”**: a natural person who is identified or is identifiable directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- **“Personal Data”**: any personal information relating to a Data Subject.
- **“Processing”**: any operation or set of operations which is performed on Personal Data or sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of Personal Data.
- **“Processor”**: a natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Controller.
- **“Recipient”**: a natural or legal person, public authority, agency or another body to which the Personal Data are disclosed, whether a Third Party or not. However, public authorities which may receive Personal Data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of these data by those public authorities is in compliance with the applicable data protection rules according to the purposes of the Processing.
- **“Supplier”**: a person or organization that provides products or services to ETC Solar.
- **“Third party”**: a natural or legal person, public authority, agency or body other than the Data Subject, Controller, Processor and persons who, under the direct authority of the Controller or Processor, are authorised to process Personal Data.

## Introduction

This Privacy Policy concerns the Processing of Personal Data by ETC Solar B.V. for the purpose of our services (hereinafter: 'ETC Solar' or 'we').

ETC Solar is commercializing a micro-molding 3D printing process which uniquely enables a large number of new semiconductor devices including ultra miniature, low power sensors and antennas. This has the potential to disrupt large markets such as telecom, smartphones, IoT and environmental monitoring. In the performance of its service, ETC Solar processes certain Personal Data. We treat the Personal Data with the greatest care and, in doing so, comply with the applicable laws and regulations, including the General Data Protection Regulation (GDPR). That means, among other things, that ETC Solar:

- Informs you in a comprehensible and transparent way on how and for which purposes Personal Data are processed
- Processes Personal Data only for well-defined purposes and the processing of data is based on one of the basis referred to in the GDPR
- Takes appropriate security measures to protect Personal Data from loss or theft
- Informs you of your rights regarding the Personal Data which are processed by ETC Solar.

The above subjects are dealt with in this Privacy Policy. This Statement consists of four parts.

- A. In **Part A**, we explain how ETC Solar as commercializer of the Technology deals with Personal Data which are processed under the agreement between ETC Solar and Customers and under the agreement between ETC Solar and Suppliers. In this part is also discussed for which purpose and on what basis Personal Data of Customers and Suppliers are processed, and what the term of the storage is.
- B. In addition to Personal Data of Customers processed by ETC Solar, we also process Personal Data of the visitors of our website and of job applicants and employees. In **Part B** we explain how we deal with these Personal Data.
- C. **Part C** contains a number of general provisions that show, inter alia, how we protect Personal Data and who you can contact us with regard to questions about this Privacy Policy.
- D. **Part D** deals with the rights of the Data Subjects regarding the processing of their Personal Data.

## Lawful processing

ETC Solar ensures that it shall only process Personal Data in a lawful way that is not incompatible with the purpose they were received for. The Personal Data must be adequate and relevant with regard to the purposes for which they are processed and will not be processed excessively in the relation to the purpose they were collected for.

This Privacy Policy is concluded by and managed under the management board of ETC Solar.

## Part A

### I. Data of Customers

As commercializer of the high-tech Technology for the semiconductor market, we process the Personal Data of Customers in our administrative systems.

#### *Categories of Personal Data*

If ETC Solar concludes a purchase agreement with a Customer, the following Personal Data may be processed/saved of the contact person(s) of the Customer in the administrative systems:

- Name
- E-mail address
- Telephone number

#### *Purpose*

ETC Solar commercializes high-tech Technology for the semiconductor market, thus processes the Personal Data of Customers. Before the Technology will be provided to the Customer, ETC Solar concludes a purchase agreement with Customers. For the purpose of executing this agreement, ETC Solar has to administer the Personal Data of the Customer to be able to provide Customers with the product and with support and (to continue) to be able to offer Customers an effective product. The Processing is also required for the processing of invoices and maintaining the customer network of ETC Solar. ETC Solar shall process the Personal Data for that purpose only.

#### *Basis*

The above mentioned Processing of data is necessary for the execution of the purchase agreement concluded between ETC Solar and Customers and ETC Solar being able (to continue) to provide its services. ETC Solar shall not use the Personal Data of Customers for acts/conduct that are in breach with the applicable statutory provisions.

#### *Storage term*

We will delete your Personal Data if we receive the order to do so by the Data Subject or if there is no more legal basis to process the Personal Data.

### II. Data of suppliers of goods and services to ETC Solar

#### *Categories of Personal Data*

If ETC Solar enters into a business relationship with a Supplier, the following Personal Data may be processed/saved of the contact person(s) of the Supplier:

- First name and surname
- E-mail address
- Telephone number
- Address and place of residence
- Position

#### *Purposes, basis and storage period*

ETC Solar processes the above Personal Data for the following purposes:

- Processing of invoices
- Maintenance of the business network of ETC Solar

ETC Solar processes the above Personal Data because it is necessary for the implementation of agreements concluded with suppliers.

The Personal Data necessary to fulfil the administration obligation shall be stored for the statutory period. Other Personal Data will be deleted after the termination of the relation with our suppliers.

## Part B

### I. Data of visitors of the website of ETC Solar

#### Registration on our website

By registering on our website, some Personal Data are collected such as name, address, contact and communications data as telephone number and e-mail address. Registered persons can also update or delete at any time the data provided upon registration. Moreover, we shall of course be happy to provide information about your Personal Data we store. Upon your request, we shall update or delete these data, provided that this is not prohibited by statutory storage requirements. Please use the contact details at the end of this Privacy Policy to contact us to this effect.

#### Newsletter

When you subscribe to our newsletter, the data you have entered will be used for this purpose only. Subscribers may also be informed by e-mail about circumstances which are relevant for the service or registration, for instance changes in the newsletter service or technical conditions.

For a successful registration, we require a valid e-mail address. To ensure that the subscription was made by the owner of an e-mail address, we use double opt-in. To that end, we record the subscription to the newsletter, sending of the confirmation e-mail and receipt of the requested response. More data will not be collected. The data are used for the newsletter service only and will not be transferred to third parties.

You can revoke the consent regarding storage of your Personal Data and their use for the newsletter service at any time. A corresponding link is provided in each newsletter. You can also unsubscribe on this website at any time or state your intention via the contact details at the end of this document.

#### Contact form

If you contact us via e-mail or contact form, your details will be saved for the handling of your request and potential follow-up questions.

#### Deletion or limitation of data

We adhere to the principles of data avoidance and data economy. We will only store your Personal Data for as long as necessary for the achievement of the objectives mentioned or as stipulated by the various storage periods provided for by the legislator. After cessation of the specific purpose or after expiry of these deadlines the Personal Data will be limited or deleted routinely and in accordance with the provisions of the law.

#### Your rights of access, rectification, limitation, deletion and objection

You have the right to obtain access to your Personal Data we store at any time. You also have the right of rectification, limitation or, with the exception of legally required storage of data for the purpose of transactions, deletion of your Personal Data. Please contact us for this purpose. You can find the contact details at the end of this Privacy Policy.

To enable limitation of data to be taken into account, these data must be recorded in a file for control purposes. You can also request deletion of the data, provided that there is no legal storage requirement. If such a requirement does exist, we will limit your data upon request.

You can make changes or revoke consent with future effect by notifying us accordingly.

#### Questions

If you have any questions regarding data protection, please contact us by e-mail or letter.

Our postal address is:

Marconistraat 16  
3029 AK Rotterdam

We can be contacted by:

E-mail: [thomas@etc-solar.com](mailto:thomas@etc-solar.com) or

Telephone: +31 622901247

## II. Data of job applicants

### *Categories of Personal Data*

If you apply for a job with ETC Solar, whether as employee, trainee or contractor, ETC Solar will process the Personal Data which you have disclosed in your job application and CV as well as any attachments and which we will also collect and evaluate information which you have provided us with during potential interviews such as:

- First name and surname
- E-mail address
- Address
- Place of residence
- Telephone number
- CV, letters of recommendation and motivational letter
- Date of birth

### *Purposes, basis and storage period*

The above Personal Data are processed to ensure that application procedures run smoothly and we can assess whether we can employ you. This way, we can contact you to make an appointment or provide feedback and we can assess your profile with regard to the position you applied for.

If you apply for a position at ETC Solar, the legal basis of Processing your Personal Data is your application for execution of an employment contract or contract for services with ETC Solar. In addition to this, ETC Solar has a legitimate interest to process the abovementioned Personal Data. This Processing is necessary to ensure that the application procedure runs smoothly and we can assess whether we can employ you.

Your Personal Data will be deleted four weeks after the vacancy has been filled, unless you give permission for storing the Personal Data for future job vacancies for a period of 6 months.

## III. Data of ETC Solar employees

We process Personal Data of our employees and the persons with whom ETC Solar concluded a contract for services with. Processing of these data is excluded from this Privacy Policy. Upon employment respectively starting the contract for services or traineeship, we explain how we deal with their Personal Data and provide them with a separate Privacy Policy for personnel.



## Part C

### Security

Adequate security of your Personal Data is crucial, both for you and for ETC Solar. ETC Solar shall take, maintain, and, if necessary, adjust all reasonable and suitable and organizational measures, to secure the confidentiality and availability of your Personal Data and to protect them from theft, unlawful dissemination, unauthorized use or unauthorized access to the processed data stored. These measures shall at all times provide an adequate level of protection.

ETC Solar takes many security measures to secure your Personal Data, inter alia:

- We will conclude confidentiality agreements with our employees. ETC Solar herewith ensures that the Personal Data of its personnel is only processed by persons that have signed a confidentiality statement and that are authorized to process these Personal Data.
- The Data concerning one person will be kept together in one file to the extent possible. The personnel files will be stored in a lockable file cabinet which is only accessible for authorized personnel. PCs and laptops with privacy sensitive data can only be accessed by authorized personnel through a password.
- Only authorized persons such as your direct superior or employees of the HR department have access to your personnel file. However, only to the extent necessary to perform their work properly. They also have to comply with the duty of confidentiality as mentioned in article 28 paragraph 3 under b of the GDPR, that is signed by each employee on commencement of employment.
- In the event of electronic data processing, the administrator will grant access to the above mentioned persons through coding security to certain parts of Personal Data or to all Personal Data, depending on what is necessary for their activities.
- If the human resources information system is linked to the internet (for instance, the employees' option to see their personnel file online) the webpage contains firewalls that must be logged into in order to access the personnel file.

If there is a security breach despite the security measures taken, we shall take measures to limit the consequences for your privacy to the extent possible.

### Data leak procedure

Despite the technical and organizational measures taken by ETC Solar a breach relating to the Personal Data may possibly occur, in which the Personal Data are destroyed, lost, amended, provided or made available in an unlawful way (hereinafter: 'data leak'). As Controller, ETC Solar shall assess whether the data leak has to be reported to the Data Protection Authority and potentially to the Data Subject(s). ETC Solar has the responsibility for the (correct, timely and full) report to the Data Protection Authority and potentially to the Data Subject(s) within the applicable statutory deadline.

### Disclosure of Personal Data to Third parties and Processors

Under certain circumstances, Personal Data can be made available to Third parties and Processors. An agreement has been concluded between ETC Solar and the abovementioned Third parties and Processors, which includes detailed arrangements on confidentiality, integrity and security of Personal Data.

## Transfer of Personal Data

We can process your Personal Data within and outside the EU because they may be ‘transferred’ to a foreign (group) company or a foreign (group) company may have access to your Personal Data. This shall happen only if necessary for the execution of your agreement with ETC Solar or with your permission. If Personal Data are processed within or outside the EU, ETC Solar shall conclude an agreement with the foreign Processor, which includes detailed arrangements on confidentiality, integrity and security of Personal Data.

## Part D

### Your Rights

#### *Information about processing*

You have the right to know what is being done with your Personal Data and why this is being done.

#### *Access and transfer of your Personal Data*

You have the right to take knowledge of the Personal Data collected related to you. You also have the right to obtain a copy of the Personal Data you have provided to us. Upon request, we inform anyone - as soon as possible but not later than four weeks after receipt of the request - in writing whether Personal Data relating to him/her are processed.

If that is the case, we shall upon request provide the applicant in writing with an overview thereof including information about the purpose or purposes of the data processing, the categories of data the processing relates to, the categories of the Recipients of the data and the origin of the data. ETC Solar may refuse to comply with a request if and to the extent necessary for the protection of the data subject(s) or the rights and freedoms of Third parties.

#### *Correction and deletion of your Personal Data*

Upon request in writing of a Data Subject, we will improve, supplement, delete, and/or block (right to be forgotten) the Personal Data processed of the Data Subject we processed, if and to the extent the data are factually incorrect, incomplete for the purpose of the Processing, irrelevant or reveal more information than necessary for the registration purpose, or are processed in breach with the statutory provisions in any other way. The request of the Data Subject must contain the amendments to be made. We also ask you to inform us why you disagree with the Processing of the Personal Data.

We will inform you as soon as possible whether we can comply with your request. ETC Solar shall take care that a decision pertaining to correction, addition, deletion and/or blocking is implemented within one month, and if this is in all reasonableness not possible, as soon as possible thereafter.

We shall delete your data after receipt of a request to this end if:

- The data are no longer necessary for the purpose we processed them for
- You no longer grant us permission to process your Personal Data
- You object to Processing of Personal Data and there is no reason to process the data for a longer period
- We should not have processed the Personal Data (unlawful processing)
- We are required by law to delete the Personal Data.

#### *Right to restriction of processing of the personal data*

You have the right to have the processing of your Personal Data stopped temporarily. In some cases, you might want a restriction of the processing of your Personal Data. In that case, you can request us to restrict the processing of the Personal Data. We shall comply with such a request in the following cases:

- You consider your Personal Data we process to be incorrect. We shall not use these Personal Data until the Personal Data are checked and potentially amended or supplemented;
- We should not have processed your Personal Data but you do not want us to (fully) delete your Personal Data;

- We no longer need your Personal Data but you require these Personal Data to institute, exercise or substantiate a legal action;
- You object to the processing of your Personal Data but we have not yet been able to assess your objection.

In the event there is a restriction to processing your Personal Data, we shall only process these Personal Data with your permission. If the restriction is lifted, we shall inform you thereof.

#### *Right to object Processing*

You have the right to object to Processing:

- If we use your Personal Data for direct marketing purposes; or
- On grounds relating to your situation, to (further) Processing of your Personal Data:
  - if the processing of Personal Data is conducted on the basis that the Processing is necessary for a legitimate interest of the responsible person or a third party. In that case we will have to stop Processing your Personal Data, unless we can demonstrate compelling legitimate grounds for the Processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims
  - if we use your Personal Data for scientific or historical research purposes or statistical purposes.

#### *Right not to be subject to automated decision-making and profiling*

You have the right not to be subject to a decision without (notable) human intervention so that potential effects can be corrected.

#### *Invoking rights*

If you want to invoke your rights as a Data Subject, you can submit a request. This request can be submitted both in writing or via e-mail. You will find the address below. ETC Solar can ask additional information to ensure your identity as a Data Subject.

ETC Solar will inform you about the execution of the request within one month after the request is received. If it concerns a complex request or many requests, ETC Solar will be granted two additional months to inform the Data Subject about the execution of the request. However, ETC Solar will let you know within one month what will happen with the request.

ETC Solar can refuse to fulfil your request if and to the extent necessary for the protection of the data subject or the rights and freedoms of third parties. ETC Solar will motivate the refusal.

#### **Complaints procedure**

If you are of the opinion that the provisions of this Privacy Policy are not complied with or your statutory rights regarding the processing of Personal Data are not being respected, you can submit your complaint to us via e-mail or post through the address mentioned below.

If you are of the opinion that the processing of your Personal Data is in breach with the applicable law and regulations, you also have the right to submit a complaint to the Data Protection Authority, but we prefer receiving your complaint first, in order to settle your complaints amicably.

#### **Contact details**

If you have any questions or complaints concerning this Privacy Policy or the processing of your Personal Data by ETC Solar, please contact us via the contact details below.

ETC Solar B.V.  
Marconistraat 16  
3029 AK Rotterdam  
E-mail: [thomas@etc-solar.com](mailto:thomas@etc-solar.com) or  
Telephone: +31 622901247

### Changes and implementation

We reserve the right to change this Privacy Policy. Changes shall be published on our website. It is recommended to consult this Privacy Policy regularly in order to be well-informed of the alterations. If we make significant changes to the Privacy Policy, we shall inform the Customers, Suppliers, job applicants and employees that are registered with us with their e-mail address.

This Privacy Policy shall take effect as of June 14, 2021. The Privacy Policy can be consulted and downloaded for free via our website: <https://etc-solar.com/>.

This Privacy Policy was last updated in June 14, 2021.