

A dark blue, underwater scene with a submarine visible on the right side, partially obscured by the water's surface and light filtering through.

Privacy Statement for Users of Optics11 Products

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Confidentiality

The contents of this document are subject to our NDA and therefore confidential with no information to be disclosed to any third parties without prior consent of Optics11 B.V. (Amsterdam, The Netherlands).

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Privacy Statement

1. Purpose

This privacy Statement (“**Privacy Statement**”) outlines how Optics11 B.V. (hereinafter referred to as “**Optics11**”, “**we**”, “**us**”, “**our**”) collects, uses, discloses, and protects personal data in the context of its professional services (“**Services**”).

2. Responsible for the processing of personal data

Optics11 is responsible for the processing of personal data as outlined in this Privacy Statement. Optics11 therefore acts as a data controller within the General Data Protection Regulation (“**GDPR**”). Our commitment is to safeguard user privacy while enabling the delivery of high-performance sensing solutions.

Optics11 is an entity incorporated under the laws of the Netherlands and registered in the Netherlands with the Dutch Chamber of Commerce under registration number 52469417.

3. Collection of Personal Data

In providing our Services, we process personal data. We process personal data for various purposes and only if we have a valid legal ground to do so. The GDPR specifically states these legal grounds. In the case of Optics11 these are usually: performance of a contract, legitimate interest, compliance with a legal obligation and sometimes consent.

We process personal data of customers with contracts primarily for the purpose of providing our Services on the basis of performance of a contract or our legitimate interests to conduct a normal business.

We will only process personal data based on legitimated interest if our interests outweigh the privacy interests of the person to whom the data relates. In that case, the legitimate interests of Optics11 correspond to the purposes set out below. For further information on the balancing of interests in a specific case, please contact us using the contact details at the bottom of this Privacy Statement. It may also be the case that Optics11 has to process personal data to comply with an applicable legal obligation, for example to meet applicable minimum retention periods.

It may also be necessary in exceptional cases to process personal data to protect someone's vital interests. This may be the case, for example, in the unlikely event that someone falls unconscious at the Optics11 office and health data must be provided to a care provider. If Optics11 cannot rely on one of the aforementioned bases, consent must be obtained for the processing of personal data.

Optics11 will inform you in a specific situation if providing personal data is a legal or contractual obligation or necessary condition for entering into an agreement. It will also inform you of the possible consequences of not providing the data.

Below you will find an elaboration of these components for each processing.

3.1 Product registration and usage

Purposes of the processing. We process personal data in the context of product registration and usage. The personal data is processed for the following purposes:

- To provide and improving products and services;
- To manage licensing, user access, accounts, and tenant configurations;
- To process payments and maintaining billing records;
- To improve system reliability, security, and performance;
- To meet regulatory and contractual obligations.

Personal data. The personal data we process includes:

- **Identity and contact information:** name, e-mail address (if provided for support or licensing purposes), phone number, organization, company name.
- **Authentication and access data:** username and password (encrypted), license key (software based).
- **Device and usage data:** device and user identifiers, product usage logs, communication metadata.
- **Transaction data:** purchased equipment details, invoices, billing history, shipping and billing addresses.
- **Sensor data:** data collected from the sensors in our product, such as the acoustic emission signals or other device-specific measurements.

Legal basis. We process personal data on the following legal grounds:

- **Performance of a contract** – to provide the requested Services.
- **Legitimate interest** – for product improvement, fraud prevention, and account management.
- **Legal obligation** – to comply with applicable laws such as national and EU regulations on product safety and Dutch Tax law.

3.2 Customer support interactions

Purposes of the processing. We process personal data in the context customers support interactions. The personal data is processed for the following purposes:

- To provide and improving products and services;
- To manage licensing, user access, accounts, and tenant configurations;
- To improve system reliability, security, and performance;

- To meet regulatory and contractual obligations;
- To provide technical support and customer service.

Personal data. The personal data we process includes:

- **Identity and contact information:** name, e-mail address (if provided for support or licensing purposes), phone number, organization, company name.
- **Authentication and access data:** username and password (encrypted), license key (software based).
- **Device and usage data:** device and user identifiers, product usage logs, communication metadata.

Legal basis. We process personal data on the following legal grounds:

- **Performance of a contract** – to provide the requested Services.
- **Legitimate interest** – for product improvement, fraud prevention, and account management.
- **Legal obligation** – to comply with applicable laws and regulations necessary to fulfil retention duties under consumer protection and to document warranty and potential dispute resolution.

3.3 Online portal, platform access

Purposes of the processing. We process personal data in the context of our online portal and platform access. The personal data is processed for the following purposes:

- To provide and improving products and services;
- To manage licensing, user access, accounts, and tenant configurations;
- To improve system reliability, security, and performance;
- To meet regulatory and contractual obligations;
- To send important service communications;
- To provide technical support and customer service.

Personal data. The personal data we process includes:

- **Identity and contact information:** name, e-mail address (if provided for support or licensing purposes), phone number, organization, company name
- **Authentication and access data:** username and password (encrypted), license key (software based)
- **Device and usage data:** device and user identifiers, product usage logs, communication metadata

Legal basis. We process personal data on the following legal grounds:

- **Performance of a contract** – to provide the requested Services.
- **Legitimate interest** – for product improvement, fraud prevention, and account management.
- **Legal obligation** – to comply with applicable laws and regulation such as requirements of the Dutch Telecommunicatiewet.

3.4 Feedback, forms, surveys, or newsletters

Purposes of the processing. We process personal data in the context of feedback forms, surveys or newsletters. Feedback forms, surveys, and newsletters are offered through our online platforms or sent via email, and participation is always voluntary. Depending on the interaction, users may be asked to provide information such as preferences, experiences, or contact details to facilitate meaningful communication.

The personal data is processed for the following purposes:

- To provide and improving products and services;
- To improve system reliability, security, and performance;
- To send important service communications;
- Communicating updates and marketing, where consented.

Personal data. The personal data we process includes:

- **Identity and contact information:** name, e-mail address (if provided for support or licensing purposes), phone number, organization, company name.

Legal basis. We process personal data on the following legal ground:

- **Consent** – to send optional updates or newsletters.

3.5 Marketing

Purposes of the processing. We use automated profiling tools to enhance and personalize our marketing communications. The personal data is processed for the following purposes:

- To segment leads and prospects based on their behaviour, engagement and demographic profile;
- To trigger tailored email nurturing sequences and follow-up communications;
- To deliver targeted and retargeted digital advertisements;

- To automate the routing of webinar registrations and event leads into appropriate marketing workflows;
- To improve the relevance and timeliness of our marketing outreach..

Personal data. The personal data we process includes:

- **Interaction and engagement data:** website clicks, email opens and link-clicks, form submissions;
- **Demographic data:** geographic location, industry, job function (where provided);
- **Event and webinar data:** registration details, attendance information;
- **Device and campaign data:** advertising identifiers, referral source, cookie or similar tracking identifiers. Our use of cookies and similar tracking technologies to enable automated marketing profiling is described in in our [Cookie Statement](#).

Legal basis. We process personal data on the following legal ground:

- **Legitimate interest** – to deliver relevant and personalized marketing communications in a manner that balances our business interests and your privacy.

4. Obtaining of Personal Data

We obtain personal data in various ways:

- **Provided by you.** Some personal data we receive straight from you. For example, information you disclose when we enter into an agreement.
- **Through the use of our Services.** For example, we may process your IP address or data about your use of our products (log data). Sometimes we process personal data not on our own initiative, but to comply with a legal obligation incumbent on us. This is the case, for example, when we retain personal data for a longer period in order to comply with a legal retention obligation.
- **Derived.** Certain personal data we do not receive directly, but can be derived from the information already in our possession. For example, information about your preferences and interests.
- **Public sources.** We may also receive personal data through public sources, such as information from a public LinkedIn profile or a website.

In principle you are under no obligation to provide any information about yourself to us. However, refusal to supply certain information could have a negative influence on, for example, your experiences on or functionality of our website. If the provision of certain personal data is a legal or contractual obligation or an essential requirement for concluding an agreement with us, we will separately provide additional information about this for as far as this is not clear in advance. In this case we will also inform you about the possible consequences if this information is not provided.

5. Data Sharing

We do not sell personal data.

We only share the user's personal data with third parties if:

- This is necessary for the provision of a service or the involvement of the third party. Sub-contractors, for example, will in principle only get access to the personal data that they require for their part of the service provision.
- The persons within the third party that have access to the personal data are under an obligation to treat the personal data confidentially. Where necessary this is also contractually agreed upon.
- The third party is obliged to comply with the applicable regulations for the protection of personal data, for instance because we have concluded an agreement with this party. This includes that the party is obliged to ensure appropriate technical and organizational security measures, and that any transfer of personal data to countries outside the European Economic Area ("EEA") is adequately legitimized.

We could share the user's personal data on a need-to-know basis with the parties mentioned below. In this context, "need-to-know" means that a party get access to personal data if and insofar this is required for the professional services provided by this party.

- Authorized persons, employed by Optics11 who are involved with the processing activity concerned. Such as, the members of the customer support team you are in contact with.
- Authorized persons, employed by parties in the private sector with whom we may share certain personal data.
- Authorized persons, employed by service providers / sub-contractors engaged by Optics11, who are involved with the processing activity concerned and are under strict contractual obligations.
- Authorized government institutions. Such as courts, police, and law enforcement agencies. We may release information about our Website visitors, including IP address, when legally required to do so, at the request of governmental institutions conducting an investigation or to verify or enforce compliance with the policies governing the our Website and applicable laws. We may also disclose such user information whenever we believe disclosure is necessary to protect the rights, property or safety of Optics11.
- Aggregate Information. We may also disclose non-identifying, aggregated user statistics to third parties for a variety of purposes, including describing our Services to prospective partners and other third parties. Examples of such non-personal data include the number of users who visited the Website during a specific time period.
- Mergers and acquisitions. We may transfer or provide your personal data to a buyer or potential buyer in the event of a merger or acquisition (potential or prospective) of all or part of our business or assets. In the event of such a transfer, we will take all steps reasonably expected of us to ensure that the receiving party processes your information in accordance with this Privacy Statement.

6. Data Transfers

If necessary, we may transfer personal data to third parties located outside the EEA.

Transfers outside the EEA. The transfer of personal data to a third party outside the EEA can in the first place be legitimized based on an adequacy decision of the European Commission, in which it is decided that the (part within the) third country in question ensures an adequate level of data protection. On the [website](#) of the European Commission, you can find an overview of the adequacy decisions that have been taken.

If personal data is transferred to a country outside the EEA for which there is no adequacy decision, we agree on the applicability of the relevant version of the Standard Contractual Clauses with the relevant party. This is a standard contract to safeguard the protection of personal data, which is approved by the European Commission, in which the parties fill out the appendices. Where appropriate, additional safeguards are taken.

You can contact us if you want additional information about the way in which we legitimize the transfer of personal data to countries outside the EEA. Our contact details are stated at the bottom of this Privacy Statement.

7. Security Measures

Protecting your privacy and personal data is very important to us. Therefore, Optics11 has implemented appropriate technical and organizational measures to protect and secure the personal data we process, in order to prevent violations of the confidentiality, integrity and availability of data. We employ technical and organizational measures in line with ISO/IEC 27001:2022 and ISO/IEC 27002:2022 standards, such as:

- Encryption
- Role-based access controls
- Regular risk assessments
- Secure software development and change management

8. Data Subject Rights

In relation to the processing of personal data by Optics11, you have the following privacy rights:

- Right of access.** This concerns the right to request access to personal data. This enables you to receive a copy of the data we hold about the user (but not necessarily the files themselves). We will then also provide further specifics of our processing of the personal data. For example, the purposes for which we process the data, where we got it from, and with whom we share it.
- Right to rectification.** This concerns the right to request rectification of the data that we hold about the user. This enables the user to have any incomplete or inaccurate data corrected.
- Right to erasure.** This concerns the right to request erasure of the data. This enables the user to ask us to delete or remove personal data where: (i) the data is no longer necessary, (ii) the processing activities have been objected to, (iii) the data has been unlawfully processed, (iv) the data has to be erased on the basis of a legal requirement, or (v) where the data has been collected

in relation to the offering of information society services. However, we do not have to honour such request in all cases.

- d. **Right to object.** This concerns the right to object to the processing of personal data where we are relying on legitimate interest as processing ground (see above). Insofar as the processing of the data takes place for direct marketing purposes, we will always honour an objection. For processing for other purposes, we will also cease and desist processing, unless we have compelling legitimate grounds for the processing which override your interests, rights and freedoms or that are – for example - related to the institution, exercise or substantiation of a legal claim. If such is the case, we will inform on our compelling interests and the balance of interests made.
- e. **Right to restriction.** The right to restriction of processing means that Optics11 will continue to store personal data at the request of the user but may in principle not do anything further with it. In short, this right can be exercised when Optics11 does not have (or no longer has) any legal grounds for the processing of the data or if this is under discussion.
- g. **Right to withdraw consent.** This concerns the right to withdraw consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
- h. **Right to complaint.** This concerns the right to lodge a complaint with a supervisory authority, in particular in the EU Member State of the user’s habitual residence, place of work or where an alleged infringement took place. Please be referred to the website of the European Data Protection Board (“EDPB”) for an overview of the supervisory authorities and their contact details. However, we would appreciate the chance to deal with any concerns before the supervisory authority is approached, so please contact us beforehand.

9. Exercising of Privacy Rights

You can exercise the privacy rights above free of charge, by phone or by e-mail via the contact details displayed below. If requests are manifestly unfounded or excessive, in particular because of the repetitive character, we have the right to either charge a reasonable fee or refuse to comply with the request. In addition, we may request specific information to help us confirm your identity before we further respond to a privacy request. Finally, we will provide information about the follow-up of the request without undue delay and in principle within one month of receipt of the request. Depending on the complexity of the request and on the number of requests, this period can be extended by another two months.

10. Incident Response

In the event of a data breach, affected users will be notified without undue delay, in compliance with legal requirements, including GDPR Article 33 and 34.

11. Data Retention and Disposal

Personal data is retained only as long as necessary to fulfill the stated purposes and in compliance with legal, contractual, or regulatory requirements. Data is securely deleted or anonymized when no longer needed.

12. Contact information

If you have any questions regarding this Privacy Statement, or data collection by Optics11 in particular, please contact us at privacy@optics11.com or by using the contact information below:

Optics11 B.V.
Hogehilweg 1
1101 CA Amsterdam
The Netherlands

Telephone number: +31 20 809 6001

13. Updates

This Privacy Statement may be updated to reflect changes in our practices, technologies, or legal obligations. Users will be notified of material updates through appropriate channels.



CONTACT INFORMATION

Address: Hogehilweg 1, 1101 CA Amsterdam, The Netherlands

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