

Data Protection Notice for Online Meetings via Zoom and Microsoft Teams

In this data protection notice we would like to inform you about the processing of personal data in connection with the use of the video conferencing solutions Zoom and Microsoft Teams. We use the video conferencing tools Zoom and Microsoft Teams to conduct conference calls, online meetings, video conferences, webinars or online trainings (hereinafter "Online Meeting" or "Online Meetings").

Zoom is a service of Zoom Video Communications, Inc. which is based in the USA ("Zoom"). Microsoft Teams is a service of Microsoft Corporation which is also located in the USA ("Microsoft Teams").

If you visit the websites of Zoom Video Communications Inc. or Microsoft Corporation to download the Zoom or Microsoft Teams software, the respective provider is responsible for the processing of your personal data. To the extent Zoom Video Communications Inc. or Microsoft Corporation process personal data of Online Meetings' participants in their own responsibility during the operation or use of Zoom or Microsoft Teams, you will find according information in the Zoom Privacy Statement accessible under <https://zoom.us/privacy> or the Microsoft Teams Privacy Statement for Microsoft 365 users accessible under <https://privacy.microsoft.com/en-us/privacystatement>.

Our general Clariant data privacy notice for customers, vendors and business partners can be accessed via <https://www.clariant.com/en/Meta-Nav/Privacy-Statements>. If you are a Clariant employee, you may find additional information regarding the processing of personal data in the data protection notice for employees.

1. Processing of your personal data

When we refer to “we” in this Data Protection Notice we refer to the Clariant Company that conducts the relevant Online Meeting and that is responsible for the processing of your personal data (except if stated otherwise for certain processing activities in the afore mentioned Zoom Privacy Statement and the Microsoft Teams Privacy Statement).

Accountable pursuant to Article 4(7) of the EU Data Protection Regulation (GDPR) :

Clariant International Ltd
Rothausstrasse 61
CH 4132 Muttenz 1
Switzerland

(which can be contacted at DataprotectionOffice@clariant.com or Datenschutzbeauftragter@clariant.com).

You can access the Online Meeting via the invitation link sent by the host of the Online Meeting to the participants. Alternatively, you can access a Zoom Online Meeting by entering the respective meeting ID directly in the Zoom app. You can join a Microsoft Teams Online Meeting also via your integrated calendar in Microsoft Teams or via your chats or Microsoft Teams channels.

If you do not want to or cannot use the Zoom or Microsoft Teams app, the basic functions can also be used via a browser version which you can find on the website of Zoom Video Communications Inc. (https://zoom.us/download#chrome_ext) or the website of Microsoft Corporation (<http://www.Office.com>).

Our data protection officer can be contacted at DataprotectionOffice@clariant.com or Datenschutzbeauftragter@clariant.com.

2. The type of data processed

When using Zoom or Microsoft Teams, various types of data are processed. The scope of the data depends on the data you provide before or during participation in an Online Meeting.

The following personal data may become subject to processing:

- **User/ Participant details:** First name, last name, phone (optional), e-mail address, profile picture (optional), department (optional), further registration details (optional).
- **Online metadata:** Subject and description (optional) of the Online Meeting, participants' IP addresses, type of device/hardware information (Windows/Mac/Linux/Web/iOS/Android Phone/Windows Phone), participant information (screen name, join/leave time).
- **If you dial in using the telephone:** Information on the incoming and outgoing call number, country name, start and end time. If necessary, further connection data such as the IP address of the device can be stored.

- **Microphone and video camera data:** In order to enable the display of video and the playback of audio, data from the microphone of your end device as well as from any video camera of the end device are processed during the duration of the Online Meeting. You can turn off the camera or mute the microphone at any time via the Zoom or Microsoft Teams applications. To protect your private sphere when the camera is activated, you may use artificial background pictures.
- **Text, audio and video data:** You may have the option of using the chat, question or survey functions and other functions for uploading and downloading files such as images, sound, video or office data in an Online Meeting. The data you provide will be processed in order to display it in the Online Meeting and to make it accessible to other participants during the meeting.
- **For content recording (optional):** Subject to the according configuration for recordings by your Online Meeting host, MP4 files of video, audio, whiteboard and presentations and M4A files of audio may be processed for recording.
- **For chat text file recording (optional):** Subject to the according configuration for recording by your Clariant Online Meeting host text files of Online Meeting chats may be processed for recording.

You will be informed transparently in advance if Online Meeting content shall be recorded for Clariant purposes. The recording will be displayed to you. As a rule, your Clariant Online Meeting host will ask for your consent for any recording of Online Meeting content if it has not been agreed with you otherwise in advance to the Online Meeting that the content of the Online Meeting is determined to be recorded. This may be the case if trainings or webinars are conducted and we process questions asked by training or webinar participants for purposes of training or webinar recording and follow-up. It is prohibited for participants of an Online Meeting - other than the Online Meeting host under the circumstances described before - to record video- and audio files, in particular if such recording is done covertly, and the distribution or sharing of such recordings is subject to criminal sanctions. If not otherwise disclosed by your Clariant host of the Online Meeting, chat content will not be logged.

If you are registered at Zoom Video Communications Inc. as a user or attend a conference as a guest, reports of Online Meetings (meeting metadata, phone dial-in data, questions and answers in webinars, survey function in webinars) may be stored by Zoom Video Communications Inc. beyond the end of the Online Meeting in accordance with the Zoom privacy policy. If you are registered as a user at Microsoft Teams or attend a conference as a guest, reports on Online Meetings (meeting metadata, phone dial-in data, questions and answers in webinars, survey function in webinars) may be stored in Microsoft Teams beyond the end of the Online Meeting in accordance with the Microsoft Teams privacy policy. Personal data is processed by these service providers for the following activities: • Provisioning end-user support and troubleshooting for applications and features related to conducting Online Meetings • Track changes to users and groups • Management of content uploaded • System Management • Support, operation, and maintaining of the Service. Further information on how the service providers deal with such data can be found for Zoom at <https://zoom.us/privacy> or for Microsoft Teams at <https://privacy.microsoft.com/en-us/privacystatement>.

We do not use automated decision-making in the sense of Art. 22 General Data Protection Regulation (GDPR) for Clariant purposes of conducting Online Meetings.

3. Purpose of processing and legal basis of processing

To the extent that the processing of your personal data for the Online Meeting when using Zoom or Microsoft Teams is not required for the establishment, implementation or termination of a contractual relationship with Clariant (in which case such contract is the legal basis of the processing), Art. 6 para. 1 lit. f) GDPR is the legal basis for the data processing. Our interest in these cases is to communicate effectively with you via an Online Meeting.

If we record an Online Meeting and you as a participant in the relevant Online Meeting have given your consent for the recording, we will process your personal data based on Art. 6 para. 1 lit. a) GDPR. You can revoke any consent you have given us at any time. Please note that data processing carried out up to the time of revocation remains legal.

4. Recipients of personal data

As a rule, personal data processed in connection with the participation in Online Meetings via Zoom and Microsoft Teams will not be disclosed to third parties unless Online Meeting content data (such as recordings or chat protocols) is specifically intended for disclosure or if the respective Clariant Company is legally obliged to disclosure of data in accordance with applicable statutory law.

Zoom Video Communications Inc. and Microsoft Corporation in their role as service provider do have access to certain data and we have concluded a data processing agreement in accordance with Art. 28 GDPR with them.

5. Security of data processing

We and the involved service providers use appropriate technical and organizational measures to secure the personal data processed in the course of Online Meetings.

6. Transfer to third countries

Zoom and Microsoft Teams are services provided by Zoom Video Communications Inc. and Microsoft Corporation, both based in the US, which process data in countries where the European Commission has not decided that this third country or more specified sectors within that third country in question ensure(s) an adequate level of protection.

We have entered into the EU Standard Contractual Clauses with Zoom Video Communications Inc. and Microsoft Corporation complemented by the “Additional Safeguards Addendum to Standard Contractual Clauses” in the case of Microsoft in order to grant an adequate level of protection of personal data when personal data is transferred from member states of the European Union, the European Economic Area (Iceland, Liechtenstein, Norway), Switzerland or the United Kingdom to any countries where the European Commission has not decided that this third country or more specified sectors within that third country in question ensure(s) an adequate level of protection.

7. Storage and retention periods

Should any Online Meeting content - in accordance with the afore described requirements - be recorded, such data as well as the Online Meeting participation data (including user details of participants, time and subject of the Online Meeting) will only be stored for as long as necessary to fulfil the specific purpose, as a rule for the duration of the respective contractual relationship taking into account applicable statutory documentation, verification and retention periods. In order to comply with legal requirements, such as commercial and tax documentation, proof and statutory storage obligations, we may store some of your data after the legal deadlines beyond the end of contractual relationships.

Communication data of an Online Meeting (including user details, online metadata and phone dial-in data) are stored by Zoom Video Communications Inc. or Microsoft Corporation beyond the end of the Online Meeting in accordance with the applicable legal rules. Further information on how the service providers deal with such data can be found for Zoom at <https://zoom.us/privacy> or for Microsoft Teams at <https://privacy.microsoft.com/en-us/privacystatement>.

8. Your rights

In the context of the processing of personal data, you have the following rights pursuant to Art. 15 to 21 GDPR:

- Right to information;
- Right to correction;
- Right of deletion;
- Right to restrict processing; and
- Right to data portability.

If you would like to exercise any of your rights, please contact our data protection officer at datenschutzbeauftragter@clariant.com or the Clariant's Group Privacy Head at dataprotectionoffice@clariant.com.

Requests for the exercise of rights must be made by means of a dated and signed application accompanied with a photocopy of the identity card.

In addition, you have the right to object to the processing of your data in order to safeguard the legitimate interests either of us or a third party. In this case, we will no longer process your personal data unless we can give overriding legitimate reasons for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

If we process your personal data for direct marketing purposes, you are entitled to opt out of the processing of your personal data for these purposes. In the event of an objection to processing for the purposes of direct marketing, we will no longer process your personal data for such purpose.

You can address your objection to us electronically. All you need to do is send an email to datenschutzbeauftragter@clariant.com or dataprotectionoffice@clariant.com

You also have the right to withdraw your consent to the processing of your personal data at any time with immediate effect. Such withdrawal has no effect on the past, i.e. it does not affect the effectiveness of data processing until the withdrawal.

If you consider that our processing of personal data is not in compliance with data protection regulations or should you not be satisfied with our information, you have the right to complain to the supervising authority responsible for you or us under the GDPR.

Our competent data protection supervisory authority is:

Der Hessische Datenschutzbeauftragte, Gustav-Stresemann-Ring 1 65189 Wiesbaden