

Privacy Statement
Of Sophia Testing GmbH
Effective 24.5.2018

General

Sophia Testing GmbH, Wollzeile 1, 1010 Vienna (“**Sophia**” or “**we**”) respects all laws and regulations applicable on the topic of data protection and is committed to the values of privacy in relation to the processing of personal data. This Privacy Statement explains how Sophia collects, processes and uses information about you when you use the website or services of Sophia (“**Privacy Statement**”). The services of Sophia in connection with tests are the provision, management and administration of the test (“**Services**”).

Sophia is the operator of the website “sophiateesting.com” and testing software “Sophia”. We will routinely update this Privacy Statement to clarify our practices and to reflect new or different privacy practices.

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1. Personal data

“**Personal data**” means any information relating to an identified or identifiable natural person or a legal entity (“**data subjects**”). We collect personal data categories about the following two data subjects:

- “**users**” of our website when they visit our website;
- individuals who purchase our test on their own (“**test taker**”); and
- authorized test centers; corporate clients; schools; universities; national operators etc. when they purchase a test via our website or with regard to the management dashboard and/or the administration environment (“**test organizer**”).

1.1 Personal data categories we collect automatically about you when you visit and use our website

We may collect the following data categories from you if you visit our website or log-in from our website to download the testing software “Sophia” from our website. To enhance your experience with the Sophia website, Sophia may place a cookie (a small text file) on the computer or your mobile device to make the usage of the website more convenient. Cookies can be deleted at any time by using the browser options. If you reject the usage of cookies in your browser settings, may not be able to use all the Services of Sophia.

We automatically collect the following data categories:

- your IP-address;
- your IP address of the mobile device;
- a unique identifier of the mobile device;
- the browser type and settings data (screen resolution, color depth, time zone settings, browser extensions and plug-ins); and
- the operating system.

1.2 *Personal data that is processed for the fulfillment of a contract or on the basis of Sophia's legitimate interest in connection with the provision of a test*

We use the following personal data categories to fulfill a contract with the test organizer or the test taker; or we use the personal data categories based on our legitimate interest:

- first and last name;
- title (if provided);
- date of birth;
- address (if provided);
- language (if provided);
- phone number (if provided);
- email address (if provided);
- invoice address (in case of a purchase);
- product purchase information (e.g., date of purchase; product; amount);
- internal identification number (i.e., if the test is organized by a test organizer, the test organizer may provide an internal identification number of the test takers in order to allocate the test score to the respective test taker);
- password;
- data related to the test/certificate itself (e.g., the test score; details to the test taken as the date of the test, etc.); and
- any other personal information you voluntarily provide us directly.

2. **How we use the personal data categories**

We use the personal data categories as described under point no. 1.2 for the following purposes:

2.1 *Fulfillment of a contract or Sophia's legitimate interest*

If the processing is necessary for the performance of a contract to which the test organizer or the test taker is a party, or in order to respond to the test organizer's or test taker's request or to respond to user's request prior to entering into a contract; or if we have a legitimate interest, we process your personal data categories described under point no. 1.2.

We process these data categories in the following cases:

- to handle and manage the test organizer's or test taker's purchase: for instance, to communicate to the test organizer or test taker with respect to the purchase, to process the test organizer's or test taker's payments, to deliver the purchased products and Services, and to offer the necessary customer service (in case of a purchase);
- to deal with any product adverse events the test organizer or test taker reports to us;
- responding to the test organizer's, test taker's or user's requests and enquiries; and

- to meet legal and regulatory requirements, if necessary.

3. Data transfers

We transfer the personal data categories as defined under point 1 to our contractual partner in Switzerland:

Digital Literacy AG
Pelikanweg 2, CH-4054 Basel
Tel: +41 61 270 88 77,
E-Mail: info@ecd.ch
www.ecdl.ch

4. Rights of data subjects

Sophia guarantees the following rights of persons on their personal data as defined by the General Data Protection Regulation (“GDPR”):

- **Right of access:** You shall have the right to obtain from Sophia confirmation as to whether or not personal data concerning you are processed, and, where that is the case, access to the personal data and the information set out under Art 15(1) GDPR.
- **Right to rectification:** You shall have the right to obtain from Sophia without undue delay the rectification of inaccurate personal data concerning you (Art 16 GDPR).
- **Right to erasure (“right to be forgotten”):** You shall have the right to obtain from Sophia the erasure of your personal data without undue delay and Sophia shall have the obligation to erase personal data without undue delay where one of the grounds as set out in Art 17(1) GDPR applies.
- **Right to restriction of processing:** You shall have the right to obtain from Sophia restriction of processing where one of the situations as set out in Art 18(1) GDPR applies.
- **Right to data portability:** You shall have the right to receive your personal data, which you have provided to Sophia, in a structured, commonly used and machine-readable format and you have the right to transmit those data to another controller without hindrance from Sophia if one of the situations as set out in Art 20(1) GDPR applies.
- **Right to object:** You shall have the right to object at any time to the processing of your personal data which is based on Sophia’s legitimate interests. Sophia as the data controller shall no longer process the personal data unless Sophia demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of you as the data subject or for the establishment, exercise or defence of legal claims (Art 21 GDPR).

All requests concerning the actions mentioned above will be completed without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

Sophia shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay. Where the data subject makes the request

by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject.

5. How long we retain your data categories

The data categories are only stored for as long as necessary for the purposes as described under point 2 or otherwise to comply with legal or regulatory requirements that are applicable to us. We are taking measures to destroy or permanently anonymize personal data categories when they are no longer needed.

6. Complaints

If you are unhappy with the way we have handled your personal data categories or any privacy query or request that you have raised with us, you have a right to complain to your local data protection regulator.

7. How to contact us

We welcome your feedback. If you have any comments, questions or complaints regarding this Privacy Statement or our processing of your personal data categories, or you would like to exercise any of the rights set out under point 4 ("**Rights of the data subjects**") that are applicable, you can contact us:

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