



PRIVACY STATEMENT

Last updated: October 2023

Mountain-View Data GmbH

Mountain-View Platz 1

9103 Austria

E-mail: office@mountain-view.com

Telephone: +43 (0) 4231 / 25 555

PRIVACY STATEMENT

Last updated: 1 October 2023

INTRODUCTION

At Mountain-View Data GmbH (hereinafter also: **MVD**) we are strongly committed to protecting personal data. This Privacy Statement aims to inform you why and how we collect and use your personal data and provides information about your rights in relation to your personal data, which we process through our website, www.mountain-view.com (hereinafter: **MVD Website**).

The term personal data in this Privacy Statement means any information relating to an identified or identifiable natural person visiting our MVD Website.

The term processing in this Privacy Statement means the collection, use, access, retrieval, as well as transmission of personal data.

We process personal data with great care and in accordance with the European Union Directive 95/46/EC (hereinafter: General Data Protection Regulation or GDPR), the Austrian Data protection act (**Datenschutzgesetz – DSG**), and the accepted international principles for the protection of personal data.

This Privacy Statement forms a part of the Terms and Conditions on use of MVD's website and together they form one document.

TABLE OF CONTENTS

This Privacy Statement is intended to explain our privacy practices and covers the following areas:

01. Scope of Privacy Statement
02. The controller of personal data
03. What personal data do we process?
04. For what purpose is the data processed?
05. What is the legal basis for processing your personal data?
06. Who processes your data within our company?
07. Do we share your data with third parties?
08. Do we transmit your data outside the EU?
09. Data retention – How long will we use your data?
10. What rights do you have over your personal data?
11. Processing of personal data in the recruitment process
12. Final Provisions

1. SCOPE OF PRIVACY STATEMENT

This Privacy Statement applies to the processing of your personal data when using the MVD Website, as well as the services offered therein.

The term services in this Privacy Statement encompasses all services on the MVD Website and corresponding product sheets, all tools offered on the MVD Website, such as miza.at, EDA Let's Go!, Portfolio Analysis Tool. Term services include also registration, subscription, and/or use of our FIAP fund and ETF database, TaiPan database, and our Mountain-View Fund Award page and/or any other product, tool, or service or page, not specifically listed herein (all together collectively used hereinafter: **MVD Services**).

Please read carefully this Privacy Statement before using or proceeding to access the MVD Website and MVD Services.

By using the MVD Website and MVD Services you consent to the processing of personal data as described in this Privacy Statement.

2. THE CONTROLLER OF PERSONAL DATA

The personal data controller is:

Mountain-View Data GmbH
Mountain-View Platz 1
9103 Diex
Austria

Email: office@mountain-view.com
Telephone number: +43 (0) 4231 / 25 555

3. WHAT PERSONAL DATA DO WE PROCESS?

The scope and content of the personal data we process mostly depend on your activity on the MVD Website and your request and interest in our MVD Services.

We might process all or some of the following personal data about you:

- a) **Identity and contact data:** data that identifies you, including, but not limited to your first and last name, e-mail address, phone number, the country you live in, and company and/or the industry you work in.
- b) **User login credentials:** data you provide to us when you create personal online accounts to access MVD Services, including but not limited, to your first and last name, e-mail address, and password.
- c) **Economic and financial data:** data we collect for the purpose of concluding the business relationship with you, including but not limited to:

- » Identity and contact data
 - » Contract data and history of the business relationship (account extension, Master data changes, e-mail, and phone call communication, etc.)
 - » Billing details
 - » Configuration data of the MVD Services used
- d) **Employment information:** data we receive through your employer (first and last name, e-mail, and position title) and the data you provide to us for the purpose of potential employment, including but not limited to your contact details (first and last name, e-mail address), as well as all the personal data included in your CV and motivational letter
- e) **Internet profile information:** by using MVD Website and MVD Services, data is also automatically generated and transmitted from your browser or device to MVD, which can be linked to your account when you are logged in. These include:
- » IP address
 - » Date and time of login
 - » Browser type and browser version
- f) **Behavioural information:** data collected using cookies and other device-identifying technologies. For more information check our **Cookie Policy**.
- g) **Other information:** correspondence and other communications are collected when you contact us by telephone, letter, or by e-mail.

4. FOR WHAT PURPOSE IS THE DATA PROCESSED?

We process personal data about you for one or more of the following purposes:

- a) To manage our contractual or pre-contractual relationships with you;
- b) To improve, develop and/or customize our MVD Services;
- c) To respond to any communication, inquiries, or request from you, received in whatever form;
- d) To send you a MVD Newsletter (if you have explicitly registered for them);
- e) To administer our MVD Website, analyse trends, and to diagnose technical problems on the MVD Website;
- f) For marketing our MVD Services, events, regulatory changes, and/or new solutions to you;
- g) For procurement of MVD Services and/or to ensure the proper functioning of our business operations;
- h) For the recruitment process, if you apply to any job vacancy via our MVD Website;
- i) For auditing purposes;
- j) To comply with our legal or regulatory obligations; and
- k) To establish, exercise, or defend legal claims.

5. WHAT IS THE LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA?

MVD will process personal data based on one of the following legal bases:

- a) We will process your personal data based on your given **express consent** to the processing of personal data for one or more specific purposes (for example, we process your personal data to respond to your inquiries via our contact form on the MVD Website or e-mail).

Your express consent will be collected with the execution of the Legal notice.

Your consent may subsequently be withdrawn at any time by contacting us at office@mountain-view.com without affecting the lawfulness of processing based on consent before its withdrawal.

- b) For the **performance of a contract** to which you are a party or to take appropriate steps at your request before entering into a contract with you (pre-contractual communication), this includes also the recruitment process when you apply to any open job vacancies on our MVD Website);
- c) To comply with **legal requirements** (for example, to comply with applicable regulatory obligations and employment law); and
- d) Necessary for **our legitimate interests** (for example, to administer our MVD website).

We will only rely on this legal basis where we've identified the purpose (the legitimate interest), assessed that the processing is necessary for that purpose, and conducted a balancing test to ensure that this interest is not overridden by the interests, rights, and freedoms of the individual to whom the personal data belongs.

6. WHO PROCESSES YOUR DATA WITHIN OUR COMPANY?

Personal data is processed by MVD employees on a need-to-know basis, within the scope of their duties and responsibilities, bound by the obligation to protect personal data as strictly confidential at all times.

7. DO WE SHARE YOUR DATA WITH THIRD PARTIES?

Your data will not be transmitted to third parties outside our company, unless MVD is legally obliged to disclose such data or if MVD engages with third parties who are bound to professional secrecy to enforce certain claims. To fulfill our contractual and legal obligations, we also might cooperate with selected external service providers

(accounting service, external professional service for occupational safety, occupational medicine, IT maintenance services, storing, etc.).

7.1. MVD Newsletter

MVD uses the European marketing platform, sender.net, to send the Mountain-View newsletter and market reports. The email addresses of newsletter recipients are stored on sender.net's servers. sender.net uses this information to send and evaluate the newsletters on behalf of MVD, whereby MVD trusts in the reliability and IT&data security of sender.net. As a European company, sender.net is subject to EU data protection regulations and is therefore obliged to comply with them. The data of our newsletter recipients is protected and not passed on to third parties. Information about sender.net's data protection regulations can be found at <https://www.sender.net/privacy-policy>

8. DO WE TRANSMIT YOUR DATA OUTSIDE THE EU?

MVD does not transfer data to countries outside the EU.

9. HOW LONG WILL WE USE YOUR PERSONAL DATA?

The retention period of personal data depends on the legal basis for data processing and the purpose of the processing. Personal data are generally kept only for as long as is absolutely necessary to achieve the purpose for which they were collected or further processed unless otherwise provided by law. Personal data shall be deleted, destroyed, blocked, or anonymized after the purpose of the processing has been fulfilled, if there is no other legal basis or if this is necessary for the assertion, implementation, or defense of legal claims.

Please note that the personal data we collect based on your consent, we keep the shortest possible period, namely as long as there is a purpose for their collection or until the consent is canceled. The cancellation of the consent does not affect the lawfulness of the processing that was carried out on the basis of the consent until its cancellation.

All data in the area of business relationships are processed for the duration of the entire business relationship (from initiation to processing to the termination of a contract) as well as in accordance with the tax retention period (seven years) and reporting requirements (up to five years).

10. WHAT RIGHTS DO YOU HAVE OVER YOUR PERSONAL DATA?

You have the following rights regarding your personal data:

- a) To know why and how we are processing your personal data and to access your personal data held by MVD;
- b) To request the rectification of inaccurate data and to have incomplete data completed;
- c) To request the deletion of your personal data if such data is no longer necessary for the initial purposes for which it was collected, in accordance with applicable law;
- d) To restrict our processing of your personal data, under certain circumstances (in which case we will only retain the personal data for the exercise and/or defence of MVD's rights);
- e) To object to our processing of your personal data, having regard to the given circumstances and for reasons related to your particular situation (in which case we will only retain the personal data for imperative legitimate reasons or the exercise and/or defence of MVDs rights);
- f) To request the portability of your personal data, which will allow you to obtain and reuse the personal data in a usable electronic format for your own purposes and across different services without hindrance to usability, including its transmission to another third party;
- g) To withdraw the consent you may have granted to specific processing, at any time you wish; and
- h) To make a complaint regarding our data processing.

In order to exercise any of the above rights, please send a letter or an e-mail using the postal address or e-mail included in **Point 2 – The controller of personal data**.

You can also send your complaints directly to the Austrian Data Protection Authority.

11. PROCESSING OF PERSONAL DATA IN THE RECRUITMENT PROCESS

By applying for an open job vacancy and submitting your CV and motivational letter, you agree that your personal data (which you submit to us as part of your application or which we collect by ourselves by taking notes on the job interview), will be processed by us. This is done to ensure that the application process runs smoothly and that vacancies are optimally filled within our entire organization.

Your data will not be passed on to third parties without your consent.

Data processing in the recruitment process is carried out on the legal basis of your **explicit consent** and/or based on complying with **legal requirements** (for example, to comply with applicable regulatory obligations and employment law).

All your rights in connection to the personal data are listed in **Point 10 – What right do you have over your personal data?**

11.1. How long do we store the recruitment data?

We generally keep your data for six months from the time an unsuccessful application process is completed. Should your application be successful, we will retain your data collected in connection with the application process in any case for as long as there are statutory retention requirements or as long as any legal claims have not yet become time-barred.

12. FINAL PROVISIONS

12.1. Changes to this Privacy Statement

MVD reserves the right to amend or supplement this Privacy Statement to ensure compliance with applicable data protection regulations. We encourage you to periodically review this Privacy Statement.

12.2. Severability

In the event any of the terms or provisions of this Privacy Statement would be held to be unenforceable, the remaining terms and provisions shall be unaffected and the unenforceable term or provision shall be accordingly replaced by such enforceable term or provision as comes closest to the intention underlying the unenforceable term or provision.

12.3. Governing law and Jurisdiction

This Privacy Statement is governed by and shall be construed in accordance with Austrian Law. The courts of Austria shall have exclusive jurisdiction over any dispute relating thereto.

12.4. Entry into force

This Privacy Statement is adopted by the management of the MVD and is valid and applicable as of October 2023.

OVERVIEW OF MOUNTAIN-VIEW DATA PRIVACY STATEMENT

DATA CONTROLLER	Mountain-View Data GmbH Mountain-View Platz 1 9103 Diex Austria	Email: office@mountain-view.com Telephone number: +43 (0) 4231 / 25 555
PERSONAL DATA WE PROCESS	<p>We might process all or some of the following personal data about you:</p> <ul style="list-style-type: none"> a) Identity and contact data: first and last name, e-mail address, phone number, the country you live in, and company and/or the industry you work in. b) User login credentials: data you provide to us when you create personal online accounts to access MVD Services, including but not limited, to your first and last name, e-mail address, and password. c) Economic and financial data: data we collect for the purpose of concluding the business relationship with you, including but not limited to identity and contact data, contract data, and history of the business relationship (account extension, Master data changes, important e-mail, and phone call communication, etc.), billing details and configuration data of the MVD Services used. d) Employment information: first and last name, e-mail address, as well as all the personal data included in your CV and motivational letter and the notes we take during the job interview e) Internet profile information: by using MVD Website and MVD Services, data is also automatically generated and transmitted from your browser or device to MVD, which can be linked to your account when you are logged in. These include: IP address, date and time of login and browser type and browser version f) Behavioural information: data collected using cookies and other device-identifying technologies. For more information check our Cookie Policy. g) Other information: correspondence and other communications are collected when you contact us by telephone, letter, or by e-mail. 	
PURPOSE OF PROCESSING	<p>We process personal data about you for the following purposes:</p> <ul style="list-style-type: none"> a) To manage our contractual or pre-contractual relationships with you; b) To improve, develop and/or customize our MVD Services; c) To respond to any communication, inquiries, or request from you, received in whatever form; d) To send you a MVD Newsletter (if you have explicitly registered for them); e) To administer our MVD Website, analyse trends and to diagnose technical problems on the MVD Website; f) For marketing our MVD Services, events, regulatory changes, or new solutions to you; g) For procurement of MVD Services and to ensure the proper functioning of our business operations; h) For the recruitment process, if you apply to any job vacancy via our MVD Website; i) For auditing purposes; j) To comply with our legal or regulatory obligations; and k) To establish, exercise, or defend legal claims. 	
LEGAL BASIS FOR PROCESSING	<p>MVD will process personal data based on one of the following legal basis:</p> <ul style="list-style-type: none"> a) Your express consent; b) Performance of a contract with you or pre-contractual relationship with you; c) Legitimate interests of MVD; and/or d) Legal obligations of MVD. <p>Please click here to find more information.</p>	
TRANSMISSION AND SHARING OF PERSONAL DATA	<p>MVD does not transmit data to any third parties unless MVD is legally obliged to disclose such data or if MVD engages with third parties who are bound to professional secrecy to enforce certain claims. MVD uses the European marketing platform, sender.net, to send the Mountain-View newsletter and market reports. MVD does not transfer data to countries outside the EU.</p>	
YOUR RIGHTS	<p>You have the right to:</p> <ul style="list-style-type: none"> » Request access to your personal data; » Request correction of your personal data; » Request erasure of your personal data; » Object to processing of your personal data; » Request restriction of processing your personal data; » Request transfer of your personal data; and » Right to withdraw your consent. <p>If you wish to exercise any of the rights set out above, please contact us at office@mountain-view.com.</p>	