

PRIVACY STATEMENT “CLIMAX”

As Sparqing B.V., doing business as Climax (“**Climax**”), Climax is committed to protecting your personal data and your right to privacy. If you have any questions or concerns about its policy, or its practices with regards to your personal data, please contact Climax at support@climax.eco.

When you visit the Climax websites <https://www.climax.eco>, <https://app.climax.eco> and/or use Climax services, you trust Climax with your personal data. Climax takes data protection and your privacy very seriously. In this privacy statement, Climax describes amongst other things what personal data it collects, how it uses it and what rights you have in relation to it.

This privacy statement applies to all personal data collected through the Climax websites (such as <https://www.climax.eco> and <https://app.climax.eco>) (Climax refers to them collectively in this privacy statement as the “**Sites**”), and/or any related services, sales, marketing or events. This privacy statement is applicable to the processing of personal data by Climax as a controller.

Climax hopes you take some time to read it carefully, as it will help you make informed decisions about sharing your personal data with Climax. If there are any terms in this privacy statement that you do not agree with, please discontinue use of the Sites and Climax services.

Table of contents

1. What information does Climax collect and from whom?
2. How does Climax use your information?
3. Will your information be shared with anyone?
4. Does Climax use cookies and other tracking technologies?
5. Third-party websites
6. How long does Climax keep your information?
7. How does Climax keep your personal data safe?
8. Does Climax collect personal data from minors?
9. What are your rights?
10. Does Climax make updates to this privacy statement?
11. How can you contact Climax about this privacy statement?

1. What information does Climax collect and from whom?

1.1. Data subjects

Climax collects personal data from different data subjects. These include (employees of its) clients, suppliers, partners and (other) website visitors.

1.2. Personal data you disclose to Climax

Climax collects personal data that you provide to Climax through the Climax website, when using the Climax services or participating in activities and when communicating with Climax. The personal data that Climax collects depend on the context of your interactions with Climax and the Sites, the choices you make and the products, services and features you use. These personal data may include your name, address, contact information, passwords and security data, payment information and credentials. Some personal data is collected automatically, for example by the use of cookies, when you visit or use the Climax Sites, such as IP address, browser and device characteristics.

2. How does Clima use your information?

Climax uses personal data for a variety of business purposes described below. Climax processes your personal data for these purposes in reliance on its legitimate business interests ("**Legitimate Interest**"), in order to enter into or perform a contract with you ("**Contract**"), with your consent ("**Consent**"), and/or for compliance with Climax legal obligations ("**Legal Obligations**"). Climax indicates the specific processing grounds it relies on next to each purpose listed below.

Purpose	Legal ground
To send you marketing and promotional communications. Climax and/or its third party marketing partners may use the personal data you send to Climax for their marketing purposes, if this is in accordance with your marketing preferences. You can opt-out of the Climax marketing emails at any time (see the "What are your privacy rights" below).	Legitimate Interest of Climax in being able to send its clients marketing communication or Consent.
To send administrative information to you. Climax may use your personal data to send you product, service and new feature information and/or information about changes to its terms, conditions, and policies.	Contract and/or Legitimate Interest to keep you fully updated on important aspects of the Climax services.
Fulfill and manage your orders. Climax may use your information to fulfill and manage your orders, payments, returns, and exchanges made through the Sites.	Contract and/or Legal Obligations.
To post testimonials. Climax posts testimonials on its Sites that may contain personal data. Prior to posting a testimonial, Climax will obtain your consent to use your name and testimonial. If you wish to update, or delete your testimonial, please contact Climax at support@climax.eco and be sure to include your name, testimonial location, and contact information.	Consent.
Deliver targeted advertising to you. Climax may use your information to develop and display content and advertising (and work with third parties who do so) tailored to your interests and/or location and to measure its effectiveness.	Consent.
Request Feedback. Climax may use your information to request feedback and to contact you about your use of its Sites.	Legitimate Interest for being able to further develop the Climax services and Sites and being able to assist you better or Consent.
To protect the Climax Sites. Climax may use your information as part of its efforts to keep its Sites safe and secure (for example, for fraud monitoring and prevention).	Legitimate Interest in securing the Climax Sites and services.
To enable user-to-user communications.	Consent.
To enforce the Climax terms, conditions and policies.	Legitimate Interest of Climax in exercising its rights or defending itself or Contract.
To exercise Climax legal rights and to respond to legal requests and prevent harm.	Legitimate Interest of Climax in being able to defend itself and exercise its legal rights.
For data analysis, identifying usage trends, determining the effectiveness of Climax promotional campaigns and to evaluate and improve the Climax Sites, products, services, marketing and your experience.	Further processing of personal data that is not incompatible with the original purpose or Legitimate Interest in being able to further develop the Climax services and products.

Use of the Climax portal

Climax offers an online portal to its clients ("**Climax Portal**"). Via the Climax Portal clients gain insight into their carbon accounting. To gain access to the Climax Portal and to provide the Climax services to you, you need to create a personal account. Next to the aforementioned purposes, Climax will use your e-mail, password, sur and last name to provide access, contact you and for security purposes such as logging. These personal data will be processed as long as necessary to provide access to the portal and the Climax services. The moment you do not need or cannot have access to your account anymore, Climax will close your account and delete your personal data within one year thereof unless there is a legitimate reason to retain such personal data.

The processing of your personal data is based on legitimate interest of Climax, being the security of the Climax platform and to perform the Climax services for clients. The terms for the use of the Climax Portal are included in the [Terms of Use](#) available via this [link](#).

3. Will your information be shared with anyone?

Climax may share your personal data with third parties.

- Climax may share your personal data if you have given Climax specific consent to use your personal data for a specific purpose.
- Climax can be required to share your personal data with third parties if Climax is strictly required to do so on the basis of the contract with its clients.
- Where Climax has entered into a contract with you, Climax may share your personal data to fulfill the terms of its contract.
- Climax may disclose your information where Climax is legally required to do so in order to comply with applicable law, governmental requests, a judicial proceeding, court order, or legal process, such as in response to a court order or a subpoena (including in response to public authorities to meet national security or law enforcement requirements).
- Climax may disclose your information where Climax believes it is necessary to investigate, prevent, or take action regarding potential violations of its policies, suspected fraud, situations involving potential threats to the safety of any person and illegal activities, or as evidence in litigation in which Climax is involved.
- Climax may share or transfer your information in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of its business to another company.
- Climax may share your data with third party vendors, service providers, contractors or agents who perform services for Climax or on behalf of Climax and require access to such information to do that work. Examples include: payment processing, data analysis, email delivery, hosting services, customer service and marketing efforts.
- Climax may allow selected third parties to use tracking technology on the Sites, which will enable them to collect data about how you interact with the Sites over time. This information may be used to, among other things, analyse and track data, determine the popularity of certain content and better understand online activity. Unless described in this privacy statement, Climax does not share, sell, rent or trade any of your information with third parties for its promotional purposes.
- Climax uses third-party advertising companies to serve ads when you visit the Sites. These companies may use information about your visits to the Climax Website(s) and other websites that are contained in web cookies and other tracking technologies in order to provide advertisements about goods and services of interest to you.
- Climax may share your information with its business partners to offer you certain products, services or promotions.

4. Does Climax use cookies and other tracking technologies?

Climax may use cookies and similar tracking technologies (like web beacons and pixels) to access or store information. Specific information about how Climax uses such technologies and how you can refuse certain cookies is set out in its [Cookie Policy](#).

5. Third-party websites

This privacy statement does not apply to third-party websites that are linked to the Climax website through links. Climax cannot guarantee that these third parties will handle your personal data in a reliable or secure manner. Climax encourages you to read the privacy statements of these websites before using them.

6. How long does Climax keep your personal data?

Climax will only keep your personal data for as long as it is necessary for the purposes set out in this privacy statement, unless a longer retention period is required or permitted by law (such as tax and accounting requirements). When Climax has no need to process your personal data, it will either delete or anonymise it.

7. How does Climax keep your personal data safe?

Climax has implemented appropriate technical and organisational security measures designed to protect the security of any personal data it processes. Climax is ISO27001 certified and maintains at all times a level of security which, given the state of the art and the costs of implementation, is appropriate, among other things, to prevent unauthorised access, alteration, disclosure, loss or any other form of unlawful processing of personal data. You should only access the services within a secure environment.

8. What are your rights?

You have certain rights under applicable data protection laws. These include the right to:

- a. Access;
- b. Rectification;
- c. Erasure;
- d. Restriction on processing;
- e. Objection to the processing; and
- f. Portability.

If Climax is relying on your consent to process your personal data, you have the right to withdraw your consent at any time. Please note however that this will not affect the lawfulness of the processing before its withdrawal.

In order to prevent misuse, Climax may ask you to identify yourself adequately before it processes your request. Circumstances may arise as a result of which Climax cannot, or cannot fully, comply with your request. Examples are the professional secrecy of lawyers and statutory retention periods. If such a circumstance arises, Climax will report it to you. In principle, Climax will respond to your request within one month of receipt.

To make such a request, please use the contact details provided below. Climax will consider and act upon any request in accordance with applicable data protection laws.

Climax does not use automated decision making.

Your account Information

If you would at any time like to review or change the information in your account or terminate your account, you can log into your account settings and update your user account.

Upon your request to terminate your account, Climax will deactivate or delete your account and information from its active databases. However, some information may be retained in its files to prevent fraud, troubleshoot problems, assist with any investigations, enforce its [Terms of Use](#) and/or comply with legal requirements.

Opting out

You can unsubscribe from the Climax marketing email list at any time by clicking on the unsubscribe link in the emails that are sent by Climax or by contacting Climax using the details provided below. You will then be removed from the marketing email list – however, Climax will still need to send you service-related emails that are necessary for the administration and use of your account.

Complaints

If you have complaints or suggestions Climax would love to hear from you and see if it can resolve any issue. If you believe Climax is unlawfully processing your personal data, you also have the right to complain to your local data protection supervisory authority. In the Netherlands the local supervisory authority is the [Autoriteit Persoonsgegevens](#).

Contact details for requests and/or complaints

Climax
Aert van Nesstraat 45
3012 CA Rotterdam

+31 (0)10 322 0248
support@climax.eco
KvK 80769519

9. Does Climax make updates to this privacy statement?

Climax may update this privacy statement from time to time. The updated version will be indicated by an updated "Revised" date and the updated version will be effective as soon as it is accessible. If Climax makes material changes to this privacy statement, it may notify you either by prominently posting a notice of such changes or by directly sending you a notification. Climax encourages you to review this privacy statement frequently to be informed of how Climax is protecting your information.

10. How can you contact Climax about this privacy statement?

If you have questions or comments about this privacy statement, you may contact Privacy Officer of Climax, Mik Nijhuis, by email at miknijhuis@climax.eco, or by post to:

Sparqing B.V.
Aert van Nesstraat 45
3012 CA Rotterdam
Netherlands