



PRIVACY POLICY

VERSION 2.1
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Privacy Policy

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This privacy policy covers <https://neurolytics.ai/> (**Website**), the sub-pages of the Website, the video-based analysis software-as-a-service provided *via* the Website (**Software**) and newsletters provided by Neurolytics. Neurolytics is committed to protecting the integrity and privacy of your personal data.

1. Who are we?

About Us:

Neurolytics B.V.,
Europalaan 400, 4th Floor,
3526 KS Utrecht,
The Netherlands

E-mail: privacy@neurolytics.ai

KvK: 72043776

Relevant Data Protection Authority: Autoriteit Persoonsgegevens (Dutch Data Protection Authority)

2. What service do we offer and what is our role?

Neurolytics helps clients gain a competitive advantage in the modern talent marketplace with the use of the Software. Our clients can use our Software (**Clients**) to analyse and learn more about their candidates and/or employees (**End-Users**). The analysis involves the use of validated experimental cognitive psychology, computer vision science and artificial intelligence to retrieve personal data for insights, development, learning and coaching purposes, and to aid the client's decision-making in the hiring process (**Services**).

Our Clients (or your employer) carries the responsibility for the personal data of the End-Users that is being processed since we act on their instructions to provide the Services. For clarity, our Client is the data controller and we are their data processor. Therefore, End-Users should always contact the Client for more information about how their personal data is being processed.

Although this policy describes the processing activities regarding End-Users, we are not the data controller for their personal data. Please see the terms and the privacy policy of our Clients (or your employer) in regard to the processing of your personal data to find more details. Nevertheless, if you have any questions or concerns about our use of your personal data, then please contact us using the contact details provided under paragraph 7.

3. When you browse our publicly accessible main and sub-pages of the Website at <https://neurolytics.ai/> ("Public Website")

In Brief: We provide you with the Public Website, make sure it stays secure and get minimal statistics to see if we succeeded in doing so.

Purpose: We process your personal data on the Public Website for the following purposes: (a) for the functioning of the Public Website; (b) for monitoring the performance of the Public Website; (c) for supporting our Service operations, such as sales and marketing; (c) for improving and optimizing the Public Website and Services; and/or (d) to use your personal data for ensuring the security of Public Website (“**Security Log**”).

Categories of personal data: On the Public Website we collect the following types of personal data: (a) “**Traffic Data**” such as your IP address, approximate location; (b) usage of the website; and/or (d) requests sent to and from your device.

Storage: Traffic Data; and Security Logs (for example, when our software identifies an incident such as unwanted visit and/or security threat) are deleted within 6 months, unless there is a particular reason to keep the Security Log for a longer period of time (for example, individual IP addresses which are blocked by us).

Legal Basis: (a) Your consent to receive and use our Public Website; and/or (b) our legitimate interests (for example, security reasons we process Traffic Data) in maintaining the security of our Website and fulfilling our legal duty to keep the Website secure.

Sub-processors: We only use trustworthy processors that only process your personal data on our behalf (“**Sub-Processors**”) – our current hosting provider is Amazon AWS services whose data servers are located within the European Union and comply. Further details about the Sub-Processor are provided later in this policy. However, the particular Sub-Processor may be subject to change over time.

Other Recipients: None. We do not share personal data with other recipients.

Third Country Transfers: None. We process your personal data within the European Economic Area and the European Union.

Cookies: We use third party necessary cookies and optional cookies on the Public Website in accordance with the Cookie Policy as available here <https://neurolytics.ai/cookie-policy/>. You may choose to opt-in the use of the optional cookies on the Public Website.

Your Rights: You have the right to access, to rectify, to erasure, to object, to restrict processing, to data portability, to withdraw your consent and to launch a complaint with the relevant data protection authority. If you wish to exercise your rights in regard to your personal data, you can contact us at the address provided in paragraph 7.

4. Additional processing when you become our Client and use the paid sub-pages of the Website for using the Software at <https://dashboard.neurolytics.ai/> (“Private Website”)

In Brief: In addition to the processing described under paragraph 3, we process the personal data that is necessary for managing the Client account for the use of the Services, administering payments, correspondence.

Purpose: We process the personal data of the personal data of End-Users and of the Clients on the Public Website for: (a) the management of the Client account for the use of the Services (for example, billing and administration); (b) providing the Services to the Client; (c) for sales and marketing of our services; and/or (d) correspondence via e-mail.

Categories of personal data: If you become our Client, we store the personal data you have provided in online forms and dashboard of the Services. We generate a unique client identification number once you join. We are also legally required to generate a timestamp recording when you become a Client. If you join as a Client, we store your IP address for reasons of fraud prevention. We keep a record of any changes you make to your account data to be able to manage the account. This data is only stored in order to manage your contract between us and for provision of the Services.

Storage: All personal data is deleted, should you not complete the sign-up process. If you become a client, your personal data is kept for the duration of contract, and you can change the said personal data at anytime by logging in on <http://dashboard.neurolytics.ai/>. If the contract for provision of Services is terminated, we may need to continue storing some of your personal data if we are required due to a legal obligation that requires this (for example, accounting provisions, or other unforeseen legal obligations) and/or for exceptional legitimate interests (for example, if you file a legal claim against us).

Legal Basis: To enter into and continue performing the contract between you as a Client and us, legal obligations resulting from the contract for provision of the Services, and our legitimate interests.

Legitimate Interests: For reasons of fraud prevention and ensuring security of the Website we process personal data (such as IP addresses) and may process such personal data in cases of legal disputes stemming from a contract.

Sub-processors: We only use trustworthy Sub-Processors that only process your personal data on our behalf—our current hosting provider is Amazon AWS services whose data servers are located within the European Union and comply. Further details about the Sub-Processor are provided later in this policy. However, the particular Sub-Processor may be subject to change over time.

Payment Providers: If you choose to pay via credit card, you will be forwarded to a secure page of a verification company and/or your payment provider that is not under our control (for example, the 3D Secure Code form by your issuing bank). Our bank Rabobank for SEPA payments and the postal service needs to receive the relevant information to perform their tasks.

Other Recipients: None. We do not transfer your data to any other recipients.

Third Country Transfers: None. We process your data within the European Economic Area and the European Union.

Cookies: We use necessary cookies and optional cookies on the Public Website in accordance with the Cookie Policy as available here <https://neurolytics.ai/cookie-policy/>. You may choose to opt-in the use of the optional cookies on the Public Website.

Your Rights: You have the right to access, to rectify, to erasure, to object, to restrict processing, to data portability, to withdraw your consent and to launch a complaint with the relevant data protection authority. If you wish to exercise your rights in regard to your personal data, you should contact your employer or prospective employer (i.e. our Client) directly since they are the data controller and we only act on their instructions. We will assist our Client, where necessary, to respond to your request in accordance to their instructions and the terms of our agreements with them

5. Additional processing when you are a Candidate and/or employee of our client and use the Software features on the sub-pages of the Website at <http://scan.neurolytics.ai/> (“End-User Website”)

In Brief: If you are a candidate and/or employee of the Client (i.e. an End-User) who has availed of our Services, we also process your personal data to the limited extent necessary to provide the Services required by the Client.

Purpose: We collect, store and process your personal data on behalf of our Clients (a) to provide them Services, in accordance with the agreements we have with them and subject to their instructions; (b) to improve the quality of the Service to the Clients.

Storage: All your personal data is deleted, should you not complete the sign-up process on the End-User Website.

If you complete the sign-up process, then your information is kept for the duration as specified by the Client or until your account is deleted. We may need to continue storing some of your personal data if we are subject to a legal obligation that requires this, or for exceptional legitimate interests (for example,

if you file a legal claim against us). When we have no ongoing legitimate business need to process your personal data, we will either delete or anonymize your personal data.

Legal Basis: (a) To continue performing the contract between our Client and us for the provision of the Services; (b) your valid and informed consent; and/or (c) legitimate interest.

Personal data we collect: We collect, store and process your personal data on behalf of our Clients and your potential employers. In such cases, we act as a data processor of the Client and collect and process your personal data on their behalf and in accordance with their instructions. The two categories of your personal data from and about you to provide our Services to the Client which are broadly:

- a. personal data you provide voluntarily on the End-User Website (for example, your education, username and password, your activities and other information provided by you on the End-User Website);
- b. personal data we may receive about you from our Clients; and/or
- c. personal data (for example mouse movements, IP address, browser information, time stamps) which may be collected and processed during the use of the End-User Website.

but only after confirming that our Clients have obtained your valid and informed consent or are otherwise legally permitted or required to provide us with your personal data.

Personal data what we do not collect: When using our Services, candidates and/or employees may be asked to provide certain personal data about themselves, at the employer's request. However, you should not be asked by our Clients (i.e. your potential employers) to provide to us are such things as –

- a. protected health information;
- b. financial information;
- c. date of birth;
- d. social security information or other government-issued identification numbers and/or other sensitive personal data.

Therefore, if you have questions or concerns about the processing of your personal data, you should contact the relevant potential employer directly or refer to their own separate privacy policies.

Functioning of the Software and use of your Personal Data: Candidates can complete a job interview through our assessments on the End-User Website, which may include information such as –

- a. work history;
- b. skills;
- c. experience;
- d. work style; and/or
- e. other answers to questions, as well as submissions through various types of media, such as video and audio interviews, questionnaires, tasks, assignments, training exercises, and the like.

During all of the assessments, video and audio recordings will be made of you to gather physiological responses so that we can provide relevant information to you and/or our Client (or your employer). We may use your personal and video information in a variety of ways for operation of the experience and analytics, including:

- a. To operate, maintain, enhance, and provide all of the Software and Services found in our assessments, and to personalize outcomes to your preferences and interests.
- b. To support you regarding our assessments, for customer service purposes, or regarding content that you have submitted to our assessments.
- c. To understand and analyze the usage outcomes, trends, interests, and preferences of our users, to improve the way our assessments work and looks, and to create new features and functionality.

As per legal basis, we may use the automatically collected personal data (for example, mouse movements, mouse clicks, IP address, browser information, time stamps) to: (a) monitor and analyze the effectiveness of the application and evaluation activities; (b) monitor aggregate usage metrics such as total number of users, pages and media and features of our assessments accessed.

Sharing of your personal data: We may disclose your personal data to the following categories of recipients:

- a. to your potential employer, who is our Client;
- b. to your current employer, who is our Client;
- c. to our third party services providers who provide data processing services to us (for example, to provide functionality on, or help to enhance the security and features of our assessments;
- d. to any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary: (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights and/or (iii) to protect your vital interests or those of any other person; in connection with any proposed purchase, reorganization, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal data only for the purposes disclosed in this Privacy Policy; and/or
- e. to any other person with your express consent to the disclosure.

For more information about how your personal data is shared with third parties, you should contact the relevant employer or refer to their own separate privacy policies.

Security: We use appropriate technical and organizational measures to protect the personal data that we collect and process about you, including data encryption, secure hard drives, secure networks, cloud storage and backup, anti-malware protection, up-to-date operating systems, and team access on a need-to-know, need-to-have basis. The measures we use are designed to provide a high level of security appropriate to the risk of processing your personal data.

Sub-processors: We only use trustworthy Sub-Processors that only process your personal data on our behalf– our current hosting provider is Amazon AWS services whose data servers are located within the European Union and comply. Further details about the Sub-Processor are provided later in this policy. However, the particular Sub-Processor may be subject to change over time.

Other Recipients: None. We do not transfer your data to any other recipients.

Third Country Transfers: None. We process your data within the European Economic Area and the European Union.

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authority. If you wish to exercise your rights in regard to your personal data, you should contact your employer or prospective employer (i.e. our Client) directly since they are the data controller and we only act on their instructions. We will assist our Client, where necessary, to respond to your request in accordance to their instructions and the terms of our agreements with them

6. Additional Processing when you sign up to our newsletters

In Brief: In addition to the processing described under paragraphs 3, 4 and 5 we use your email address to send you newsletters and/or any additional promotional or non-promotional information if you have opted for the same when signing up (**Newsletters**).

Purpose: We collect, store and process your personal data for sending you, our Newsletters.

Categories of personal data: In regard to the Newsletters, we use your e-mail address and name provided by you.

Storage: Your personal data is removed from our emailing list when you cancel your subscription or decide to opt out of the same.

Legal Basis: Your consent for sending our Newsletter.

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7. Contact

If you have any questions or concerns about our use of your personal data, then please contact us at:

E-mail	privacy@neurolytics.ai
Postal Address	Neurolytics B.V., Europalaan 400, 4th Floor, 3526 KS Utrecht, The Netherlands