



STARKS
IP & International Trade Law

Privacy Policy

Organization: STARKS BV, a law firm with registered offices at 9000 GENT, Sint-Pietersaalstraat 87, company number 0746.693.033, RPR Ghent, division Ghent ("STARKS"), is responsible for the processing of personal data as stated in this Privacy Policy.

Contact details: STARKS BV
Sint-Pietersaalstraat 87, 9000 GHENT
Tel: +3293123608
www.starks.be
info@starks.be

How we protect personal data:

We take the protection of your data seriously and therefore we take appropriate measures to prevent improper use, loss, unauthorised access, unwanted disclosure and unauthorised alteration of your personal data.

If you think that your data is not properly secured or there are indications of misuse, please contact us at info@starks.be.

Responsible for data protection:

STARKS BV
Sint-Pietersaalstraat 87, 9000 GHENT
Company number: 0746.693.033
RPR Ghent, division Gent

For what purpose do we process personal data?

STARKS processes your personal data for the following purposes:

- the execution of the contract you have concluded with STARKS;
- to comply with the legal obligations incumbent upon STARKS;
- to represent the legitimate interests of STARKS or third parties;
- handling your payments (if any);
- sending our newsletters and (possible) advertising messages;
- inform you about changes to our services and products



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On what basis do we process personal data?

STARKS will only process your personal data if (i) you have given your consent for one or more of the specific purposes mentioned above, (ii) the processing of your personal data is necessary for the performance of the service for which you requested STARKS (processing in the context of the performance of an agreement), (iii) STARKS can invoke a legitimate interest to do so, provided that these interests or fundamental rights and freedoms do not override your interests, or (iv) if we are obliged to do so by a legal provision.

For direct marketing purposes, STARKS will always request your express consent for the use of your personal data. Notwithstanding your consent, you have the right to object at any time to the processing of your personal data for direct marketing purposes.

If you change your mind after your opt-in, you can withdraw your consent to the further processing of your personal data at any time by contacting us at info@starks.be or by sending your request to the following address:

STARKS BV
Sint-Pietersaalstraat 87, 9000 GHENT

Overview of the personal data that we process (if any):

- First and last name
- Gender
- Date of birth
- Birthplace
- Address details
- Telephone number
- Email address
- IP address
- Other personal data that you actively provide, for example by creating a profile on this website, in correspondence and by telephone
- Information about your activities on our website
- Data about your surfing behaviour across different websites (for example because this company is part of an advertising network)
- Bank account number



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STARKS processes (where applicable) the following special personal data about you:

- criminal record, facts or convictions
- data on persons under 16 years of age
- personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and the processing of genetic data, biometric data for the purpose of unique identification of an individual, or health data, or data relating to sexual behaviour or sexual orientation.

Our website and/or service does not intend to collect information about website visitors under the age of 16, unless they have permission from parents or guardian or we are bound by the implementation of our legal obligations.

However, we cannot verify whether a visitor is over 16 years of age. We therefore recommend that parents be involved in their children's online activities in order to prevent the collection of information about children without parental consent.

If you are convinced that we have collected personal data about a minor without such consent, please contact us at info@starks.be.

How long we keep personal information:

Your data will always be kept for a certain period of time, depending on our services and/or the legal requirements that STARKS is required to meet.

Sharing of personal data with third parties:

STARKS will not sell your information to third parties and will only provide it if it is necessary for the performance of our legal obligations and powers or the agreement with you.

With companies that process your data on our behalf, we enter into a processing agreement to ensure the same level of security and confidentiality of your data.

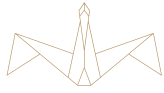
STARKS remains responsible for these processing operations.

Your rights

General provisions

STARKS aims to be transparent with regard to the processing of your personal data. When STARKS processes your personal data, you can ask us to be informed in a concise and clear manner.

If necessary, you have the right to request STARKS to inspect, rectify or delete your personal data, or to restrict the processing of your personal data. You can also object to the processing of your personal data and you have a right to data transferability.



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Right of access

When we process personal data about you, you have the right to inspect these data and you can also ask us for the following information:

- the processing purposes;
- the categories of personal data involved;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- if possible, the period during which the personal data is expected to be stored, or if that is not possible, the criteria for determining that period;
- where we do not obtain your personal data directly from you, the information available on the source of your personal data;

If you request more than one copy, we reserve the right to charge an administrative fee.

Right to rectification

If you find that the personal data processed by us are incorrect or incomplete, you can ask us to make the necessary corrections or additions.

Right to be forgotten

You have the right to require STARKS to delete the personal data we process from you, but only in one of the following cases:

- Your personal data are no longer required for the purposes for which they were collected or otherwise processed by STARKS;
- You withdraw your consent to the processing of your personal data and there is no other legal basis for STARKS to process your personal data;
- You may object to the processing of your personal data on account of a specific situation relating to you, except where STARKS invokes compelling legitimate grounds for processing that outweigh your interests, rights and freedoms or that relate to the institution, exercise or substantiation of a legal claim;
- Your personal data have been unlawfully processed;
- Your personal data must be deleted in order to comply with a legal obligation incumbent upon STARKS.

Right to restriction of processing

In certain cases, you may request STARKS to restrict the processing of your personal data, in particular:

- If you contest the accuracy of your personal data, for a period that allows STARKS to verify the accuracy of your personal data;
- The processing would be unlawful but you do not want your personal data to be deleted;
- STARKS no longer needs your personal data for the processing purposes, but you will need them yourself to institute, exercise or substantiate a legal claim;
- You have an objection to the processing of your personal data due to a specific situation related to you, pending an answer to the question of whether the legitimate grounds of STARKS outweigh your interests, rights and freedoms or which relate to the institution, exercise or substantiation of a legal claim.

Right to data portability

In certain cases, you have the right to obtain the personal data concerning you that you have provided to STARKS in a structured, common and machine-readable form, and you have the right to transfer this data to another data controller. This applies to the following cases:

1. The processing of personal data is based on your consent or the processing is necessary for the execution of the contract;
AND
2. The processing is carried out by means of automated processes.

Both of the above conditions must be met. If this is not the case, you are not entitled to transferability.

Finally, the right to portability must not affect the rights and freedoms of others (e.g. if the data concern more than one data subject). STARKS reserves the right to refuse the transferability if it believes that this will harm the rights and freedoms of others.

Security of your personal data

Taking into account the state of the art, the cost of implementation, as well as the nature, scope, context, processing purposes and the risks to your rights and freedoms that vary in terms of probability and severity, STARKS guarantees that it has taken - and from time to time updates - the necessary security measures in order to guarantee a level of security appropriate to the risk.

Where relevant, the measures taken by STARKS may include, but are not limited to:

- the pseudonymisation and encryption of your personal data;
- the ability to guarantee the confidentiality, integrity and availability of its processing systems and services on a permanent basis;
- the ability to restore the availability of, and access to, personal data in a timely manner in the event of an incident;
- the establishment of a procedure to test, assess and evaluate on a regular basis the effectiveness of the technical and organisational measures to ensure the security of processing.

Where STARKS itself is responsible for the storage of your personal data, this is done on its own secure servers.

STARKS guarantees that it has also taken adequate measures to ensure that every physical person acting under its authority or under the authority of the processor and in the performance of his/her duties or instructions for STARKS or the processor, obtains access to your personal data, these will only be processed on the instructions of STARKS, unless he/she would have been obliged to do so by a legal provision.



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Notification of infringements

STARKS is required by law to report a personal data breach to the supervisory authority without unreasonable delay and, if possible, no later than 72 hours after it becomes aware of it.

For Belgium, this supervisory authority is the Data Protection Authority (hereinafter referred to as "GBA"), with its registered office at 1000 Brussels, Drukpersstraat 5 (Tel: +32(0)2/274.48.00; Fax: +32(0)2/274.48.35; Email: contact@apd-gba.be). The GBA is an independent body that supervises the protection of privacy in the processing of personal data.

In such a case, and when the breach is likely to present a high risk to your rights and freedoms, STARKS undertakes to notify you of the breach of your personal data as well, unless one of the following conditions is met:

- STARKS has taken appropriate technical and organisational protection measures to make your personal data incomprehensible to unauthorised persons (encryption, pseudonymisation, etc.) and these measures have been applied to your personal data to which the infringement relates;
- STARKS has taken the necessary measures, once the breach has been established, to ensure that it is no longer likely to present a high risk to your rights and freedoms;
- The Communication would require a disproportionate effort. In that case, STARKS will instead make a public announcement or take a similar measure that will provide you with equally effective information.

Processing by third parties

It is possible that STARKS is dependent on the services of third parties for the proper performance of its services. In this respect, STARKS guarantees that it has concluded an agreement with its direct subcontractors for the processing of personal data (hereinafter referred to as the "Processing Agreement"), and that at least this third party has obtained a written guarantee that they will at all times act in accordance with the applicable privacy legislation, in particular the GDPR.

By means of a Processors' Agreement, these third parties undertake, when processing your personal data as part of an assignment outsourced to them by STARKS, to act in full compliance with the applicable privacy legislation, in particular the GDPR.

STARKS may use certain external service providers who have their own privacy statements regarding the information we need to provide them with for your purchase-related transactions, such as payment gateways and other processors of payment transactions.

Where appropriate, we encourage you to read the privacy statement of these service providers so that you understand how your personal data is handled by these providers.

Please note in particular that certain providers may be located in a jurisdiction other than Belgium or the European Union or may have facilities there. If you choose to proceed with a transaction involving the services of an external service provider, your personal data may be subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.

For example, if you are located in Canada and your transaction is processed by a payment gateway in the United States, your personal data used to complete that transaction may be disclosed pursuant to U.S. law, including the Patriot Act.



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Amendments

STARKS reserves the right to amend this Privacy Policy without prior individual notice. Therefore, please check this policy regularly.

Complaints and comments

If you have a complaint or comment about this Privacy Policy or the processing of your personal data, or if you notice a breach of the processing of your personal data, please contact STARKS in the first instance.

You can contact us by sending an email to info@starks.be or by transferring your complaint to the following address:

STARKS BV
Sint-Pietersaalstraat 87, 9000 GHENT

STARKS is committed to dealing with your complaint as a matter of urgency, but it is sovereign in its judgement as to its merits.

If you wish, you can also address your complaint to the GBA (Tel: +32(0)2/274.48.00; Fax: +32(0)2/274.48.35; Email: contact@apd-gba.be).

Applicable law and jurisdiction

Belgian law, with the exception of the CISG and the rules of private international law, is applicable.

In the first place, the parties will try to settle their disputes amicably. If no amicable settlement is possible, any dispute shall be subject to the exclusive jurisdiction of the courts of Ghent, having its department in Ghent, or any other competent court at STARKS' discretion, unless the law prescribes a binding alternative court. This also applies to disputes in interim injunction procedures.