

GDB - GDPR Statement

First of all, what is the GDPR?

The General Data Protection Regulation (GDPR) is the new European Union regulation on the protection of personal data, aimed at modernizing, unifying and harmonizing of a whole set of data protection rules that were in effect in the European Union since 1995. It will come into force on May 25, 2018 and it will become the most comprehensive data protection legislation in the world, making its innumerable provisions on the collection, processing and storage of personal data, international data transfer, and data subjects rights applied worldwide.

The GDPR focuses on allowing Data Subjects to have more control over their digital data by means of transparency and legal basis for data processing, such as consent. For the GDPR, personal data means any information relating to an identified or identifiable natural person ('data subject'). In other words, an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Therefore, what types of personal data, for example, does the GDPR protect?

- Basic identity information such as name, address and ID numbers;
- Web data such as location, IP address, cookie data and RFID tags;
- E-mail, login data, consumer data; and
- Interests, profiling data, behavior data, aggregated data.

The GDPR is an European Regulation, despite its global reach. However, we at GDB are committed to serve our clients and site or app owners wherever they operate. So, considering that, we will explain for you our plans for GDPR below, in a brief overview of information.

Does GDPR affect any countries outside of the EU?

One of the main points that has generated doubts in several companies around the world is the fact that the provisions of the GDPR have extraterritorial effects, that is, their obligations and their penalties may be effective not only in companies that have headquarters or representation in the EU, but also in companies which are based outside the EU. And this may happen in the following situations:

- (i) companies with subsidiaries or representation in the EU;

(ii) companies, even without a physical representation in the EU, but:

- a. the offering of goods or services in the European market;
- b. collect data from individuals who are located in the EU, regardless of nationality;
- c. the monitoring of individuals' behaviour as far as their behaviour takes place within the EU, specially through the Internet, regardless of nationality, or
- d. to outsource data processing to companies located in the EU.

Therefore, if your company transfers data to the European Union, or collects natural personal data at the time of collection and / or processing in the European Union while offering services to the EU, or performs profiling of these people, then your company is subject to effects of GDPR.

Aware of this, GDB has been conducting a Data Protection Impact Assessment (DPIA), a methodology used by GDPR to evaluate the impact of corporate operations on data protection, which aims to observe and establish all internal procedures that may be related to the privacy and protection of personal data of its customers and partners in order to tailor all of its internal policies and guidelines, as well as align its organizational practices and contracts so that the entire company can comply with data protection standards provided for in the GDPR. Below there are some changes that we have either already implemented or we are in process of implementation.

Is GDB a Data Controller or a Data Processor?

Under GDPR, there is a difference to be made between what the regulations call a Controller vs. a Processor. According to GDPR, "Controller" means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data, in other words, a Controller owns the data and decides where and how to process it.

In other hand, for GDPR, "Processor" means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the Controller.

So, in our relationship with advertisers and data providers, sometimes we are a Data Controller and in some time we act as a Data Processor, because of this, we are both, Controller and Processor.

What are our responsibilities as a Controller?

According to the European Parliament Controllers are "(...) *the principal party for responsibilities such as collecting consent, managing consent-revoking, enabling right to access, etc.*" So it is up to you, the data owner and controller, to collect the appropriate consent from natural persons as well as have a simple channel for them to revoke their consent, correct or delete their data.



As an example: users who revoke their consent for the Controller to store and process their data are expected to contact the Controller to initiate their request, even if the data lives on servers that belong to a third-party. The main rights that a Controller has to provide to its users are:

- **Consent:** A user must provide unambiguous consent before the Controller can track his or her personal data. This consent must include a notice of all the types of data that will be collected, what it will or may be used for, and which partners are involved in this process. That means a partner will need to include GDB in your terms and conditions;
- **Transparent information:** The Controller shall take appropriate measures to provide any information relating to processing to the data subject in a concise, transparent, intelligible and easily accessible form, using clear and plain language. The information shall be provided in writing, or by other means, including, where appropriate, by electronic means. When requested by the data subject, the information may be provided orally, provided that the identity of the data subject is proven by other means;
- **Right to delete:** Natural persons must have a right to have his or her data deleted from both Controller and Processor systems, usually referred to as the “right to be forgotten”; and
- **Right to rectify:** Natural persons must have the right to have their data corrected or modified from your systems.

What are our responsibilities as a Processor?

As a Processor, we at GDB have a great deal of obligations and it is our intention to be fully compliant with the law to ensure that all of your user data is properly collected and processed. To assure that we comply with GDPR:

- We only process personal data according to the restrictions set in place by our contract and terms, and we do not mine or use the data for any purpose not specifically set in those documents and agreed to by you;
- We do not engage any sub processors or provide your data to third-parties without at least a general agreement in our contract;
- Once our contract is over, all data will be returned or deleted upon request within a timeframe of no longer than 90 calendar days;
- We are open to compliance audits by any and all clients and data providers;
- Even though our servers are located outside of the EU, they are fully GDPR-compliant;
- With the exception of IP addresses and cookies which need to be stored in plain text, all other personal information is stored encrypted using the SHA-256 algorithm; and



- We keep a record of all jobs run against your data and how it was processed and used in our systems.

All of these items are already in effect across all of our products including the Data Management Platform and Onboarding Solution.

Will GDB make any changes to ensure GDPR compliance?

Yes. Although we think our current operation is secure, we will be taking a few specific actions regarding how we collect, process and activate data of individuals. These changes are:

1. The Pixels and SDK will block all incoming EU traffic unless the website or app owner confirms through a custom parameter that consent has been properly collected;
2. We have set up the inbox contact@gdb.net as the sole place to receive any and all questions or requests connected to GDPR;
3. All partner and client contracts are being reviewed by our legal team, and we will be sending an addendum to include special GDPR protections and agreements;
4. We are providing updates in our TOS and Privacy Policy and we will request for a new consent for all our clientes, when the case; and
5. We will regularly audit websites that have european traffic that are dropping our pixel. If we find GDPR violations, we will let our partner know and block all requests until the problem is fixed.

Does this affect campaign tracking as well?

It does, and in a big way. Right now, we use our pixel to collect not only campaign impressions and clicks but also behavioral and personal data for the audiences being impacted. This feature allows your first-party data to grow in a massive way and your available targeting capabilities with it.

Under GDPR, this feature won't be available for most users since asking for consent won't be possible when the tracking pixel is embedded in the creative and not in the actual website. So there will be a few changes made to campaign tracking (when the user is located within the EU) as well:

- We will only be tracking behavioral and personal data for users that have already given consent in one of your websites;
- All other users exposed to the campaign will be considered anonymous and personal data won't be collected at all; and



- We will continue to track impressions, clicks and conversions for all ads, but unless consent has been previously given by the user we won't associate them with a user profile.

We at GDB are performing our best efforts to achieve compliance as soon as possible. But we are aware that compliance is not a fact, but a process. Therefore, we continue doing our best to protect your privacy and your rights. If you have any questions about the topic feel free to contact us through in the following email: contact@gdb.net