SERVICE-related description

Avepoint Cloud Backup

Version 1.0 (22.12.2023)

1. Designation and object of SERVICE

1.1 Object of Service:
The SERVICE relates to services in the area of „Avepoint Cloud Backup “.

1.2 Purpose, Scope and Type of the Service:
The parties agree on the type and scope as well as the exclusive purposes of the commissioned data processing of the data by the contractor as follows:

The Contractor provides consulting and support services as part of a Managed Service in accordance with a specific request/order from the Client. The scope of services does not include setting up, managing and monitoring regular data backups or performing data recovery from backups. The Vendor support is also the responsibility of the Client.

1.3 Type of Data:
Commissioned Data Processing relates to the following types of data:

The types of data processed in the context of administration or support cannot be precisely defined in advance. The types of data depend on the nature of the client’s requests, the types and purposes of the client’s systems and on the data provided by the client itself in individual cases.

Depending on the individual case of support or consulting, the following personal data may be processed:

- User account information (e.g. name, job title, contact details, passwords)
- IT usage data (e.g. log data, metadata, IP address)

Special categories of data[1]:

☐ The Commissioned Data Processing does not concern any special categories of data within the meaning of Art. 9 GDPR.

☒ The Commissioned Data Processing concerns the following special categories of data within the meaning of Art. 9 GDPR:

[1] Special categories of personal data include: Data revealing the ethnic origin, political opinions, religious or philosophical beliefs or trade union membership as well as genetic data, biometric data, health data and data relating to sex life or sexual orientation.

The special categories of data processed in the context of support cannot be precisely defined in advance. The types of data depend on the nature of the client's requests, the types and purposes of the client's systems and on the data provided by the client itself in individual cases. For example, it cannot be ruled out that data relating to health or religious affiliation may also be processed.

1.4 Categories of data subjects concerned by the commissioned data processing

The data concerns the data of the following categories of data subjects:

categories of data subjects concerned by commissioned data processing depend on the purpose of the client's individual system. For example, it is possible, that personal data of the client's employees or customers may be processed.

2. Designation of subcontractors

☒ No subcontractors are used as part of the Commissioned Data Processing.

☐ In accordance with section 8 of the FRAMEWORK AGREEMENT on the Commissioned Data Processing, the subcontractors listed below are used as part of the Commissioned Data Processing.

The following subcontractors process the data on behalf of the contractor for partial SERVICES of the Commissioned Data Processing:

Designation of subcontractor	Address Subcontractor	Description of the Commissioned Data Processing
-	-	-

3. List of permitted Commissioned Data Processing activities in third countries

☒ No data processing takes place within the scope of the Commissioned Data Processing in third countries.

☐ In accordance with Section 2 of the FRAMEWORK AGREEMENT, the Client consents to the Contractor and/or subcontractors in the third countries specified below to carry out parts of the Commissioned Data Processing:

Designation of subcontractor	Description of the Commissioned Data Processing provided in third countries	Third country designation
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4. Additional arrangements on SERVICE-related technical and organisational measures

☒ As part of the provision of the services, the Contractor shall take the technical and organisational measures defined in ANNEX 2 of the FRAMEWORK AGREEMENT to ensure the security of the Commissioned Data Processing in accordance with Art. 32 GDPR.

☐ In addition to the technical and organisational measures defined in ANNEX 2 of the FRAMEWORK AGREEMENT, the contractor shall take the technical and organisational measures described below as part of the provision of the SERVICES to ensure the security of the Commissioned Data Processing in accordance with Art. 32 GDPR.

Description of SERVICE-related technical and organizational measures:

☐ Instead of the technical and organisational measures defined in ANNEX 2 of the FRAMEWORK AGREEMENT, the contractor shall take the technical and organisational measures described below as part of the provision of the SERVICES to ensure the security of the Commissioned Data Processing in accordance with Art. 32 GDPR.

Description of SERVICE-related technical and organizational measures: