
DATA PROTECTION POLICY

Updated on 23 June 2021

The law firm Le 16 Law A.A.R.P.I (hereinafter the "**Firm**") takes the protection of the privacy and personal data (hereinafter « **Personal Data** ») of their contacts very seriously (users of its site, contacts established within the framework of professional meetings, cases, missions, partnerships, services, etc.).

This is why the Firm, as data controller, is committed to implementing appropriate measures to ensure the protection, confidentiality and security of your Personal Data and to only processing and using such data in compliance with applicable laws, and in particular [the European General Regulation on the Protection of Personnel Data No. 2016/679 of April 27th 2016 \(hereinafter the "GDPR"\)](#) and the French legal statute no. 78-17 of 6 January 1978 and any other law or regulation that may supplement or replace it.

The purpose of this Personal Data protection policy is to give you information on how the Firm collects and uses your Personal Data and on the means at your disposal to control this use and to exercise your rights.

1. WHEN ARE YOUR PERSONAL DATA COLLECTED ?

The Firm may collect your Personal Data in the context of professional meetings, cases, partnerships, applications, your visit to our offices, your visits to our website and your use of our online services, in particular information.

Declarative Personal Data are those that you provide via forms, whether they are dematerialised on websites, in paper format or in response to questions asked to you by our lawyers or members of the Firm.

The Firm takes into account the principles of data minimisation, data protection from their conception onward and data protection by default (Article No 25 GDPR). Consequently relevant, adequate and limited information necessary for the purposes for which it is processed is collected.

1.1 Business contacts (including clients, prospects and other external contacts)

In the course of performing services for its clients, the Firm is required to collect and process Personal Data concerning said clients but also their employees, representatives, contractors and/or executives.

The Firm may also collect and process Personal Data of prospective clients communicated by the latter during events, meetings or various exchanges.

Finally, the Firm may collect data from various and diverse external contacts in the course of its daily missions and activities: colleagues, opposing parties, judges, members of the authorities, arbitrators, mediators, experts, secretaries of arbitral tribunals, employees of arbitral institutions, witnesses, students, etc. (hereinafter « **External Contacts** »).

In these circumstances, the Firm may have access to Personal Data relating to your identity and contact details. The Firm may, if necessary, also have access to other types of Personal Data provided in the course of its work.

1.2 Firm's website visitors

In the context of the use of the Firm's website available at <https://le16law.com/> (the "**Website**"), the Firm collects and processes certain Personal Data concerning you as a user of the Website.

Personal Data of the Website's users are collected when:

- you register for a seminar such as "Les Jeudis du 16": in this case, we collect your e-mail address ; and
- you fill our contact form in to ask us questions about our news, our trainings or any other subject related to our activity: in this case, we collect your name, the name of your company, your e-mail address and any

other information that you voluntarily provide us with and that would be relevant to the treatment of your request.

2. WHAT LEGAL GROUNDS DOES THE FIRM RELY ON TO USE AND PROCESS THE PERSONAL DATA?

The Firm is committed to collecting and processing your Personal Data in a loyal and lawful manner. The processing implemented responds to explicit, legitimate and determined purposes. Your Personal Data may be processed for the following purposes:

2.1 If you are a client of the Firm

The Personal Data of the Firm's clients are processed to manage the contractual relationship with said clients, including (i) contact and communication, (ii) execution of legal assignments, (iii) management of contract and invoices, (iv) management of accounting, and (v) follow-up of the contractual relationship.

Similarly, and subject to their lack of opposition, clients may receive informational content on various legal topics, invitations to training or events organized by the Firm, all in an exclusively professional context.

In this context, the Firm processes your Personal Data to carry out the missions entrusted to it and to comply with its legal obligations (accounting and tax), with the exception of processing for the purpose of analysis and commercial prospecting, which is based on the legitimate economic interest of the Firm to promote its services and develop its relations, which benefits both the clients (who thus have access to additional services free of charge) and the Firm, without infringing on the interests, rights and fundamental freedoms of the said clients.

2.2 If you are a prospect

The Personal Data of prospects are to contact and communicate with said prospects. Similarly, and subject to their lack of opposition, prospects may receive information on various legal topics, invitations to training or events organized by the Firm, all in an exclusively professional context.

The process implemented in this context is based on the legitimate economic interest of the Firm to promote its services and develop its relations, which benefits both the prospects (who thus access services free of charge) and the Firm, without infringing on the interests, rights and fundamental freedoms of said prospects.

2.3 If you are an External Contact

The Personal Data of External Contacts are processed to manage the Firm's activities (e.g. processing of students' data to deal with their candidacy, processing of data of colleagues and/or the opposing party to manage a clients' case, processing of data of members of judicial and administrative authorities or arbitration institutions to manage ongoing proceedings and/or ask them legal questions, etc.) and to communicate with these persons.

In some cases, and subject to their lack of opposition, External Contacts may receive information on various legal topics, invitations to training courses or events organized by the Firm, all in an exclusively professional context.

The processing carried out in this context is based on the legitimate interest of the Firm to carry out the missions entrusted by its customers, to provide quality services and to develop its relations, without infringing the interests, rights and fundamental freedoms of the External Contacts.

2.4 If you are a visitor of the Firm's Website

When a user communicates his/her email address for this purpose on the Website and does not subsequently object, his/her Personal Data will be processed for the purpose of:

- communication and management of submitted requests / inquiries ; and/or
- commercial prospecting (sending information on various legal topics, invitations to training courses or events organized by the Firm).

The processing carried out in this context is based on the legitimate economic interest of the Firm to promote its services and develop its relations, to constantly improve its Website and to communicate easily with its users. This benefits both the users (who thus access quality services and a site) and the Firm, without infringing the interests, rights and fundamental freedoms of said users.

3. WHO HAS ACCESS TO YOUR PERSONAL DATA?

The Personal Data collected and processed by the Firm can be accessed by the competent internal departments, meaning our lawyers (and, when necessary, interns) handling with the clients' requests, the billing department, the communication department and the IT department.

This Data may be communicated to third parties, acting as subcontractors, bound by a subcontracting agreement, to perform hosting services, website management and computer maintenance. These third parties act only on the instructions of the Firm and have access to your Personal Data only to perform their services. They are under strict security and confidentiality obligations similar to those of the Firm.

Moreover, your Personal Information may be shared with third parties for the following purposes:

- in response to legal or administrative proceedings of any kind or to law enforcement actions requested by the appropriate authorities ; and
- to comply with legal requirements, to protect the rights and/or safety of an individual, to protect the rights and property of the Firm and to prevent fraud, security or technical problems.

4. HOW LONG IS YOUR PERSONAL DATA KEPT FOR ?

The Firm keeps your Personal Data for the time necessary to fulfill the purposes pursued. The Firm may, however, retain your Personal Information for a longer period of time in order to comply with legal obligations, including applicable statutes of limitations period.

The Firm thus keeps your Personal Information for the following periods:

4.1 If you are a client

Personal Data of clients are kept for the duration of the contractual relationship and for the applicable statute of limitations (generally 5 years).

In certain cases, the Firm may nevertheless retain Client Data for a longer period of time if this is necessary for the monitoring of the legal services provided, in particular in the context of litigation proceedings until such time as all legal recourses are exhausted.

Data required for accounting purposes are kept for a total of 10 years to comply with applicable accounting and tax obligations.

4.2 If you are a prospect

The Personal Data of prospects are kept for a period of 3 years from the last contact with the prospect.

4.3 If you are an External Contact

The Personal Data of External Contacts are kept:

- if collected as part of the processing of a client's file, for the same periods as the Personal Data of clients set out above (see *4.1*) ; and,
- if collected for any other purpose, for the period of time necessary to fulfill the purpose.

Data collected for commercial prospecting and analysis purposes are kept for a period of 3 years from the last contact with the person concerned.

5. IS YOUR PERSONAL DATA TRANSFERRED OUTSIDE THE EUROPEAN UNION?

The Personal Data collected by the Firm are hosted within the European Union and are not transferred outside the European Union.

6. WHAT ARE YOUR RIGHTS REGARDING YOUR PERSONAL DATA AND HOW TO EXERCISE THEM?

Respecting the limits provided by the regulations in force, you have the following rights with regards to your Personal Data:

6.1 Information right on the processing of your Personal Data

The Firm strives to provide you with concise, transparent, understandable and easily accessible information on the conditions for processing your Personal Data, in clear and simple terms.

6.2 Access right of your Personal Data

The right of access allows you to obtain from the Firm confirmation that your Personal Data have or have not been processed as well as the conditions of such processing, and to receive an electronic copy (for any additional copy, the Firm is entitled to demand payment of any reasonable fees based on the administrative costs incurred).

6.3 Rectification right of your Personal Data

The right of rectification allows you to obtain from the Firm rectification of your Personal Data that are inaccurate. You also have the right to have incomplete Personal Data completed, including by providing a supplementary declaration.

6.4 Deletion right of your Personal Data

Subject to the exceptions provided by applicable law (e.g.: retention necessary to comply with a legal obligation), or legitimate Firm's reasons, you have the right to request that the latter delete, as soon as possible, your Personal Data, when one of the following grounds applies:

- your Personal Data are no longer necessary for the purposes for which they were collected or otherwise processed ;
- you wish to withdraw your consent on which the processing of your Personal Data was based and there is no other basis justifying such processing ;
- you consider and can establish that your Personal Data has been unlawfully processed ; and
- your Personal Data must be deleted in accordance with a legal obligation.

6.5 Right to limit the processing of your Personal Data

In certain cases, the right to limitation allows you to obtain the limitation of the processing of your Personal Data.

The applicable regulations provide that this right may be invoked in certain cases, in particular the following:

- when you dispute the accuracy of your Personal Data ;
- when you consider and can establish that the processing of Personal Data is unlawful but you oppose the deletion of Personal Data and demand instead that the processing be limited ;
- when the Firm no longer needs your Personal Data but they are still necessary for you to establish, exercise or defend your legal rights ; and
- when you object to the processing that would be based on the legitimate interest of the controller, during the verification whether the legitimate grounds pursued by the controller prevail over those of the person in question.

6.6 Right to the portability of Personal Data

When the processing is based on your consent or on the performance of a contract and such processing is carried out by means of automated processes, this right to portability allows you to receive the Personal Data you have provided to the Firm with in a structured, commonly used format, and to transmit this Personal Data to another data controller without the Firm hindering it.

6.7 Right to object to the processing of your Personal Data

This right allows you to object at any time, on grounds relating to your particular situation, to the processing of your Personal Data where such processing is based on the legitimate interests of the Firm. The Firm may, however, invoke legitimate and compelling reasons that require the processing to continue.

Where your Personal Data is processed for the purpose of prospecting, you have the right to object to the processing of such Data at any time. You may object to receiving communications and invitations to training courses and events organized by the Firm by sending an e-mail to one of the addresses indicated below.

6.8 Right to decide on the fate of your Personal Data after your death

You have the right to organize the fate of your personal post-mortem data through the adoption of general or specific guidelines. The Firm is committed to respecting these guidelines. In the absence of directives, the Firm recognises the possibility for heirs to exercise certain rights, in particular the right of access, if it is necessary for the settlement of the deceased's estate ; and the right to object to the processing of their data.

6.9 Right to lodge a complaint with a supervisory authority

If, despite the Firm's efforts to preserve the confidentiality of your Personal Data, you believe that your rights have been violated, you may file a complaint with the National Commission for Data Protection and Liberties (CNIL) (3 Place de Fontenoy - 75007 Paris) or with any other competent authority. However, we invite you to contact us before filing a complaint with the CNIL.

6.10 How to exercise your rights?

For any question relating to this policy and/or to exercise your rights as described above, you may contact the Firm, electronically or by post, by sending a letter accompanied by a copy of any identity document to:

contact@le16law.com

or

Service de gestion des données personnelles
Le 16 Law A.A.R.P.I.
16, rue de l'Elysée
75008 Paris
France

The Firm commits to reply as soon as possible, and at the latest within one month of receipt of your request.

If your request is submitted in electronic form, the information will also be provided to you electronically whenever possible, unless expressly requested otherwise.

If the Firm does not comply with your request, we will inform you of the reasons and you have the possibility of lodging a complaint with a supervisory authority and/or filing a judicial appeal.

* * *