

## Privacy Policy for fomsoftware.com

Information – Articles 13, 14 of the EU Regulation 2016/679 ("GDPR Regulation")

### INTRODUCTION

**What is this document?** This document is the information on the processing of personal data related to the website [www.fomsoftware.com](http://www.fomsoftware.com)

**Who is this document for?** This information is intended for all those who interact with the aforementioned website.

**Why this document?** The GDPR (EU Regulation 2016/679), in articles 13 and 14, requires that you (the data subject) be informed about the personal data being processed and who will process them, to ensure that the processing is correct and transparent. Below, you will clearly see listed:

1. **Who will process your data (Data Controller and Data Processors)**
2. **What personal data will be processed**
3. **The purposes for which personal data will be processed**
4. **How long the data will be processed**
5. **What your rights are**

**Which laws does this document refer to?** This information is provided in compliance with the combined provisions of:

1. European Regulation for the Protection of Personal Data (GDPR) EU 2016/679
2. Legislative Decree 196/2003 (Privacy Code), as amended by Legislative Decree 101/2018 and subsequent amendments
3. Measure of 8 May 2014 of the Italian Data Protection Authority and subsequent amendments

### INFORMATION

#### 1. DATA CONTROLLER

The company F.S.T s.r.l. based in Cattolica (RN) via Mercadante, 85; email: [info@fomsoftware.com](mailto:info@fomsoftware.com), VAT and Fiscal Code: 03489130405 Ph: +39 0541 832888 Fax: +39 0541 832880, Email for feedback to the Data Subject: [info@fomsoftware.com](mailto:info@fomsoftware.com), PEC (Certified Email): [amministrazione@pec.fomsoftware.eu](mailto:amministrazione@pec.fomsoftware.eu)

#### 1. PURPOSE, LEGAL BASIS, NATURE OF PROCESSING, AND STORAGE TIMES

Your personal data are collected for the following purposes:

**1. Responding to contact requests through the respective data entry form for information/contact requests:**

- The legal basis for this processing is the pursuit of the Data Controller's legitimate interest in responding to the requests of the Data Subjects.
- Data submitted through the website forms will be used to contact the user via telephone and/or email to address the requests contained in the messages they have sent. The legitimate interest is associated with the company's ability to reply to messages sent by the user.
- The data processed for this purpose will be retained for the time necessary to address the request.
- Providing personal data is optional.

**2. Responding to contact requests through the respective data entry form for assistance requests:**

- The legal basis for this processing is the pursuit of the Data Controller's legitimate interest in responding to the requests of the Data Subjects, as well as contractual activities related to ongoing service contracts.
- Data submitted through the website forms will be used to contact the user via telephone and/or email to address the requests contained in the messages sent. Failure to consent to the use of data for the described purpose would affect the company's ability to respond to user request messages.
- The data processed for this purpose will be retained for the time necessary to address the request.
- The form requires the provision of some mandatory data as well as optional data.

**3. Responding to contact requests through the respective data entry form for maintenance requests:**

- The legal basis for this processing is the pursuit of the Data Controller's legitimate interest in responding to the requests of the Data Subjects, as well as contractual activities related to ongoing maintenance contracts.
- Data submitted through the website forms will be used to contact the user via telephone and/or email to address the requests contained in the messages sent. Failure to consent to the use of data for the described purpose would affect the company's ability to respond to user request messages.
- The data processed for this purpose will be retained for the time necessary to address the request.
- The form requires the provision of some mandatory data as well as optional data.

**4. Responding to contact requests through the respective data entry form for self-application to open positions within the company:**

- The legal basis for this processing is the pursuit of the Data Controller's legitimate interest in responding to the requests of the Data Subjects, as well as responding to a pre-contractual request from the data subject.
- Personal data of those who spontaneously, or following a job search, submit their resumes are processed for purposes related to assessment, selection, or potentially offering other job opportunities consistent with the professional profile of the individual.
- The Data Controller retains and processes personal data for the time necessary to fulfill the specified purposes. Specifically, all data mentioned will be retained for a period not exceeding thirty months from their receipt.
- The form requires the provision of some mandatory data as well as optional data.

**5. Sending informational and promotional materials related to the Data Controller's activities (offers, commercial proposals, event promotions), similar to services previously rendered (soft spam), activities related to anonymous market research (surveys and satisfaction analysis of the Customer):**

- The legal basis for this processing is the pursuit of the Data Controller's legitimate interest, of which the Data Subject is part of a contract.
- Information about new services and offers, sending advertising material, commercial communications from F.S.T without and with the use of automated systems.
- The retention period for data processed for this purpose is until the data subject requests to unsubscribe from the promotional communication/newsletter service.

**6. Sending informational and promotional materials related to the Data Controller's activities (offers, commercial proposals, event promotions), concerning contacts and details obtained from previous contacts at Fairs and/or events where F.S.T has participated, even as a simple sponsor:**

- The legal basis for this processing is the expressed consent of the data subject.
- Information about new services and offers, sending advertising material, commercial communications from F.S.T, also through the use of automated email.
- The retention period for data processed for this purpose is until the data subject requests to unsubscribe from the promotional communication/newsletter service.

**7. To prevent or control unlawful conduct or to protect and enforce rights:**

- The legal basis for this processing is the pursuit of the Data Controller's legitimate interest in preventing or prosecuting illicit acts or violations of intellectual/industrial property rights (including those of third parties) or computer crimes committed through telematic networks.
- The retention period for data processed for this purpose is reasonably necessary to assert the Data Controller's rights from the moment the offense is discovered or potentially committed and, in the case

of judicial disputes, for the entire duration of the proceedings, until the expiration of the terms for challenging actions.

## 2. PROCESSED PERSONAL DATA

By the processing of personal data, we mean any operation or set of operations, whether automated or not, applied to personal data or sets of personal data. These operations include collection, recording, organization, structuring, storage, adaptation, or alteration, retrieval, consultation, use, communication by transmission, dissemination, or any other form of making available, alignment, or interconnection, restriction, erasure, or destruction.

There might also be a requirement for data falling under Article 9 of the GDPR, classified as "special categories of personal data," which includes data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or union membership, as well as data concerning health or a person's sex life or sexual orientation. Such categories of data can only be processed by the Data Controller with explicit consent.

The processed personal data include:

- Contact Information

When requesting information through the website form, the Data Controller processes the following personal data:

- Personal information from the "contact" form:
  - Name, Surname, Email
- Personal information from the "assistance" form:
  - The following fields are mandatory:
    - Name\*, Surname\*, Company name\*, Email\*, Company tax code\*, VAT number\*, SDI\*, Legal address\*, City\*, ZIP code\*, Country\*, Telephone\*, serial number\*
  - The following fields are optional:
    - Reference person, subject/machine, warranty yes/no, description
- Personal information from the "maintenance" form:
  - The following fields are mandatory:
    - Name\*, Surname\*, Company\*, Email\*, Mobile\*, Machine model\*, machine year\*, purchase document\*

- The following fields are optional:
  - Notes
  
- Personal information from the "Candidates for this position" form:
  - Mandatory fields include:
    - Name\*, Surname\*, Mobile\*, Email\*, Attached CV\*.
  - Optional fields include:
    - Accompanying text.
  
- Browsing Data

The computer systems and software procedures used to operate this website acquire certain personal data as part of their normal operation, the transmission of which is implicit in the use of Internet communication protocols. This category of data includes IP addresses or domain names of the computers and terminals used by users, the URI/URL (Uniform Resource Identifier/Locator) addresses of the requested resources, the time of the request, the method used in submitting the request to the server, the size of the file obtained in response, the numerical code indicating the status of the response given by the server (successful, error, etc.), and other parameters relating to the user's operating system and computer environment.

This data, necessary for the use of web services, is also processed for the following purposes:

- obtaining statistical information on service usage (most visited pages, number of visitors by time or day, geographical areas of origin, etc.);
- verifying the proper functioning of the services offered.

Browsing data is not retained for more than 365 days and is immediately deleted after aggregation (except in cases where judicial authorities need them for investigating crimes).

- User-Provided Data

The optional, explicit, and voluntary sending of messages to the contact addresses of the site involves the acquisition of the sender's contact data, necessary to respond, as well as all the personal data included in the communications.

Users have the option to register on the portal to access the services offered in the reserved area by the Data Controller.

- Cookies and Other Tracking Systems

Please refer to the detailed information available at the following link: <https://www.fomsoftware.com/policy-cookie/>

### **3. DATA RELATING TO INDIVIDUALS UNDER 18 YEARS OLD**

Individuals under 18 years old cannot provide personal data. The Data Controller will not be held responsible for any collection of personal data or false statements provided by minors. In any case where their use is detected, the Data Controller will facilitate the right of access and deletion as forwarded by the legal guardian or those exercising parental responsibility.

### **4. RECIPIENTS OF PERSONAL DATA**

Your personal data may be shared, for the aforementioned purposes, with:

- Entities typically acting as data processors, including individuals, companies, or professionals providing accounting, administrative, legal, tax, financial services, and credit recovery services related to service provision.
- Entities necessary for service delivery.
- Entities, bodies, or authorities to whom the communication of your personal data is mandatory as per legal provisions or orders from authorities.
- Personnel expressly authorized by the Data Controller, necessary to carry out activities strictly related to service provision, committed to confidentiality or subject to adequate legal confidentiality obligations, and who have received adequate operational instructions.

The complete list of data processors is available upon a written request to the Data Controller.

### **5. TRANSFER OF PERSONAL DATA**

Some of your personal data is shared with recipients who might be located outside the European Union. The Controller ensures that the processing of your personal data by these recipients complies with the GDPR. These transfers may be based on an adequacy decision or Standard Contractual Clauses approved by the European Commission. Further information is available from the Data Controller.

### **6. EXISTENCE OF AUTOMATED DECISION-MAKING, INCLUDING PROFILING**

The Data Controller does not employ automated decision-making, including profiling as per Article 22 of the GDPR, for the conclusion or execution of contracts involving the processing of personal data.

### **7. RIGHTS OF DATA SUBJECTS**

Regarding Articles 15 (right of access), 16 (right to rectification), 17 (right to erasure), 18 (right to restriction of processing), 20 (right to data portability), 21 (right to object), 22 (right to object to automated decision-making) of the GDPR 679/16, data subjects can exercise their rights by writing to the Data Controller at the aforementioned address or via email, specifying the subject of their request and the right they intend to exercise. The relevant request to the Data Controller is submitted by contacting the designated email for feedback to the data subject.

## 8. RIGHT TO LODGE A COMPLAINT

Data subjects who believe that the processing of their personal data violates GDPR provisions have the right to lodge a complaint with the Data Protection Authority ([www.gpdp.it](http://www.gpdp.it)), as provided in Article 77 of the GDPR, or to resort to the appropriate judicial authorities (Article 79 of the GDPR).

## 9. CHANGES

The Controller reserves the right to make changes, at any time, to this information. The current version is published at the following link: <https://www.fomsoftware.com/privacy/>