

## Privacy Policy

Nameshield (hereinafter "we", "us", "our", "our") is very concerned about protecting the privacy of the personal data of our clients and partners. We undertake to collect and use only data strictly necessary for the provision of our services.

With this privacy policy (hereinafter referred to as the "Policy"), we wish to inform you about how we collect and process personal data in the context of our activities as a domain name registrar and associated service provider for trademarks on the Internet, in accordance with the requirements of Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 in relation to the protection of individuals with regard to the processing of personal data and on the free movement of such data, and which abrogates Directive 95/46/EC (General Data Protection Regulation, hereinafter "GDPR").

This Policy applies to all services marketed by Nameshield, as well as to its various publicly accessible websites.

### Important notices:

For some of our services, in particular the collection, registration and management of domain names, we act as joint controller with each of our clients. Our particular expertise and control of the means by which our clients can benefit from the relevant services justify this qualification. We also allow our clients to manage their services on our dedicated administration platform.

When registering domain names, we are required to transmit the registration data to the relevant extension registry. Some registries publish this identification data in the Whois record of the relevant domain name. This data is therefore sometimes made publicly accessible to any Internet user making a request on a Whois directory from a web browser. Similarly, the public offer of a Whois record consultation service is also an obligation for registrars. Similarly, the public offer of a service to consult Whois records is also an obligation attributable to registrars. We limit the disclosure of your data by suggesting that you make your data generic, and by strictly complying with the information we must provide to extension registries. However, the publication of data is now limited to some country code extension registries (ccTLDs), as ICANN has recently taken the decision to no longer publish generic domain name registrant (gTLD) identification data as a result of the GDPR implementation.

We may send you electronic communications about our products and services as well as news about our business. To find out more about how we collect personal data, and how you can opt out of receiving our newsletters, [click here](#).

We may share the personal data you provide to us with specific third party partners, strictly necessary to provide you with the services, and duly selected for their quality of service and for their respect of personal data privacy and security. For more information, [click here](#).

This Policy is not intended to supersede the provisions of any agreement you may have with Nameshield. It applies in connection with our General Terms and Conditions of Services and our Special Terms and Conditions available on our website. In the event that we have entered into a specific contract together, this agreement may include specific provisions that also apply to the information you provide to us pursuant to that specific agreement.

The purpose of the Policy is to describe the personal data we collect and in which manner, as well as how and why we process personal data. This Policy is also intended to describe how you may manage and modify certain personal data about yourself.

**Summary:**

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## 1. Who is involved in the collection of personal data

In the context of providing our services, we may collect data on the following persons:

- Users of our websites,
- Internet users displaying data publicly on internet,
- Clients and clients' employees,
- Clients of clients,
- Prospects and prospect employees.

Hereinafter collectively referred to as "you", "your" or "your".

## 2. Personal data we collect and use

Data we may collect and process for the provision of services may differ depending on your status as a client as a legal entity, or as a natural person, and may include the following:

- Name and first name of the registrant, administrative and technical contacts of domain names,
- If necessary, the job position of some of clients' employees,
- Mailing address of the registrant, administrative and technical contacts of domain names,
- Telephone and fax numbers (if any personal) of the registrant, administrative and technical contacts of domain names,
- Email address (if any personal) of the registrant, administrative and technical contacts of domain names,
- Name, surname, function, company, phone number and email address of internet users using our contact forms and resource download forms,
- Bank account details (if applicable, personal),
- Domain name,

- Login identifier for the connection to our administration platforms,
- Information about your trademark(s),
- IP address, log files, and cookies,
- Any other data required by ICANN or the registries to demonstrate your compliance with specific eligibility requirements for certain services.

Hereinafter collectively referred to as the "Data".

Data are mandatory data for the provision of the services you request and are used exclusively for these purposes. These Data are not collected automatically. You are the decision-maker of the Data you provide to us. Thus, if you do not subscribe to all of our services, only Data strictly necessary for the provision of the relevant service will be collected by our services.

**Important notice:** Some services require the provision of a copy of an official identity document (national identity card, passport) from the individual person requesting the service, in particular when registering domain names under certain extensions, or prior to an administrative procedure for recovering a domain name.

In this case, we inform you, or our contact person, of the purpose for which it is intended, and collect this document from you or from our contact person. In the latter case, your employer, as a client, is responsible for providing the information or obtaining consent of the concerned person. We keep these documents in a folder whose access is restricted only to the persons managing your services, and only for the purposes intended at the time of the data collection.

### 3. How we collect personal data

When you subscribe to the services we deliver, you may be required to provide information containing Data. We would like to inform you of the legal basis that justifies and governs the collection and use of your Data, which differs according to the requested services. We collect the Data strictly necessary for the relevant processing operations, for specific purposes, as detailed by [clicking here](#).

#### 3.1. Collection of personal data from our websites users

On our public websites, when you wish to submit a request for information via the contact form, when you wish to receive our white papers and other resources, or when you submit a comment on a blog post, you deliberately provide certain data.

When submitting your request, you acknowledge that you are voluntarily providing us with Data and agree that we may process your Data as controller, in order to process your requests and thus contact you back and solicit you for marketing operations (loyalty, commercial prospecting)..

#### 3.2. Collection of personal data on Internet

From Internet searches, we collect personal data publicly displayed on websites (website content and social media, domain names and trademarks) as part of the strict monitoring of our clients' trademarks against cybersquatting.

#### 3.3. Collection of personal data from clients and their employees

As a service provider, we collect and store Data about you, or about your employees, to perform the services for you as a joint controller with Nameshield. The categories of concerned persons are you as a client, as well as your employees. Employee Data may be associated in Nameshield with a billing, commercial, operational or other contact of your company.

We collect information directly from you, or through our client's main contact, who acts in the name and on behalf of the client. In most cases, Data are indirectly transmitted to us, under your responsibility, and in your capacity as representative of your company with whom we have established a contractual relationship. Client and Nameshield are thus jointly responsible for these processing operations.

It is often the case that information provided by our client's contact are those of a person employee of the client with whom we have no interaction. Nameshield and the client therefore process Data in a joint manner for some services. As part of the provision of services, the client determines the purpose for which Data are collected, and is responsible for collecting and transmitting the Data to us, while Nameshield is responsible of the means to be used to achieve that purpose. Thus, when you send us Data on a person, you guarantee that you have informed the concerned person of the collection of Data, and that you have given him/her the purpose(s) being pursued.

**Important notice:** As far as possible, we endeavor to minimize the processing of personal data when providing our services. We therefore offer you the opportunity to subscribe to services without sharing personal data by including generic data from your company. Some extension registries allow domain names with generic data to be registered when the registrant is a legal entity.

In addition, in order to fulfill the agreement between us and you or your employer, we collect and process some of your Data for customer relationship management, as well as for billing tracking and management.

When you wish to manage the services we provide to you independently on one of our administration platforms, we create a personal username and password, based on the information you have deliberately provided to us. It is our legitimate interest collect and process login data for purposes including security and technical management of our administration platforms.

### **3.4. Collection of personal data from prospects and their employees**

Following a meeting during a professional exhibition, or a discussion with you about our services, we may use your contact information (email address, surname, first name) to inform you about our products and services, as well as about news related to our business. We believe that this information, whose purpose and content are strictly professional, may have a particular interest for you or the company you represent. Thus, in accordance with our legitimate interest, we may send you news concerning us only by email, provided that we have not received a refusal from you.

When you receive a newsletter by email, you have the opportunity to opt out of receiving further newsletters from us by clicking on the unsubscribe link included in the email. We will take into account your request and respect your choice by not renewing the sending of newsletters.

## **4. Purposes for which personal data are processed**

Data we collect and use is only for specified purposes and strictly necessary for the provision of our services and products.

As part of client management, we keep the Data for the duration of the business relationship, in order to be able to contact you when necessary, but also to manage, invoice and monitor the services you order.

We collect and use data about yourself and your company's employees to enable us to provide the services you request, under the conditions described below.

To find out more about the recipients of the Data, [click here](#).

**Domain name registration and administration** – Data are used by our teams to enable the registration, tracking, renewal, and administration of your domain name portfolio. Data are also transmitted to the relevant registries in order to comply with the naming rules of domain name extension registries and ICANN ("Internet Corporation for Assigned Names and Numbers"), and to comply with identification obligations of domain name registrants.

**Trademark registration in TMCH and DPML databases** – We process some of your Data in order to register and reference your company's trademark in TMCH and DPML databases. During the period of registration of your trademark in TMCH and DPML, we may use your Data to send you registration expiration alerts, as well as to alert you of potentially fraudulent domain name registrations that use your trademark.

**Publication of a Whois directory and disclosure to third parties** – Data associated with your domain name are published in a Whois directory. This is an obligation imposed by ICANN and many country code extension providers (ccTLDs).

The Whois directory of generic domain names (gTLDs) masks personal data since the implementation of the GDPR. Since then, information displayed are limited to the name of the organization, region and country of residence of the domain name registrant.

Regarding country code extension domain names (ccTLDs), some registries have changed their rules to mask personal data that may be contained in a Whois record, while others have opted to continue publishing personal data on the basis of a legitimate interest. You are therefore informed that your Data may be published by some extension registries on the basis of the legitimate interest they pursued.

**Creation and administration of security certificates** – Our suppliers are requesting client contact identification verification data. Your Data allows us to record and validate security certificate orders, and also allows the relevant supplier to contact you directly to verify and validate your identity to create the security certificate. Your Data is also used to send you security certificate expiration alerts and to invite you to create new security certificates.

**Anti-cybersquatting actions** – When you wish to start an administrative procedure for recovering a domain name, we may collect from our client's main contact some of your identification Data, as the client's representative, the client acting as the complainant in the proceedings.

**Internet monitoring** – When you subscribe to monitoring services, we monitor new domain name registrations, website content, public social network pages, and some marketplaces. In this context, we can detect infringements of your trademarks and domain names and thus fight against cybercrime.

**Use of our administration platforms** – We process some Data for purposes such as security and technical management, allowing us to solve any technical problems.

**Use of contact form and download resources (white papers, dossiers, etc.)** – When you send us a request through the contact form, we only process your Data in order to take into account your requests of information and contact you back and solicit you for marketing operations (loyalty, commercial prospecting).

## 5. Recipients of personal data

In the strict context of our activity as a registrar and associated service provider for the protection of trademarks on Internet, your Data may be transmitted to certain of our employees, as well as to third party entities, which differ according to the type of services provided.

**Navigate through our websites and contact us** – When you contact us through our contact form and download resources forms, or use our administration platforms, the Data recipients are our only employees concerned by these processing operations. Thus, contact form data and download resources data forms are only accessible to the sales and marketing departments, while technical data related to your connections on the administration platforms is accessible and processed only by our technical department.

**Register a domain name** – Your Data are transferred to the concerned extension registry to validate and technically activate the registration of the concerned domain name. By registering a domain name, you also accept the privacy policies of extension registries.

In connection with our accreditation agreements, ICANN requires that certain Data be transmitted to a third party escrow agent. The third party receiver appointed by Nameshield is Iron Mountain Inc. We hereby confirm that the third party receiver respects a high level of security and confidentiality guarantees for personal data. The transmission of these data are carried out in order to provide an emergency plan to ensure continuity of service in the event of a failure that prevents us from fulfilling our obligations as a registrar. ICANN also collects registration data for its contractual compliance mission. It is Nameshield's responsibility to meet the contractual requirements that bind us to ICANN.

**Publication of a Whois directory and disclosure to third parties** – As part of our obligations to extension registries, we are required to share domain name registration data with them. Some extension registries publish these data in the publicly accessible Whois directory. You are informed by this Policy of the possible publication of your Data in the Whois directories of some extension registries.

**Important notice:** You are also informed that any person with a legitimate interest may request access to the detailed identification data of a domain name. Under our obligations towards ICANN, we must respond favorably to these requests from third parties when their purpose is considered as legitimate.

**Register a trademark in TMCH database** – Some of your Data are transmitted within the TMCH database. TMCH processes your data to perform two purposes, the authentication of contact information and verification of the concerned trademark, and the storage in a database to provide information to registries of new extensions that the trademark is registered, and to allow the client to be notified of new domain name registrations that use their trademark.



**Register a trademark in DPML database** – Some of your Data may be transmitted to the DPML database owner, namely DONUTS Inc. Donuts Inc. processes your data to verify the validity of the trademark registered in the TMCH database, and to store it in a database in order to activate a domain name registration block using the DONUTS Inc. extensions, and also to provide you with information when a registration is blocked.

**Register a security certificate** – Some of your Data are sent to the supplier you have selected in order to allow the creation of a security certificate. The supplier authenticates the contact information, and stores this data in its database for certificate life cycle management, allowing us to be contacted when necessary.

**Carry out anti-cybersquatting actions** – Some of your contact Data may be transmitted to the arbitration center concerned by the administrative procedure. It may be WIPO (World Intellectual Property Organization), CAC (Czech Arbitration Center), and any other arbitration center managing the administrative procedures of a country extension (HKIAC, NAF, etc.). The transmission of Data is required to identify the client and its representative during the proceedings, and thus to participate in the justification of the interest to act.

## 6. International transfer of personal data

We have worldwide suppliers of the services we offer. As such, some of your Data may be transmitted to countries with different levels of personal data protection.

Data transmission consists of a contractual obligation between us and extension registries or security certificate providers. For example, when you register a domain name using a country code extension located outside the European Economic Area, we are required to transmit the Data to the relevant registry in order to satisfy your registration request, and to allow the registry to technically register the relevant domain name. This is the legitimate interest of the extension registry to process the registration data of a domain name in order to integrate it into its database.

We may transmit Data to other countries recognized by the European Commission as providing an adequate level of legal protection of personal data. We may also send your Data to suppliers in other countries with whom we have contractual agreements to protect your data, including commitments on data security and strict authorized purposes.

## 7. Retention periods of personal data

Your Data are kept for different periods of time depending on the service provided and the purpose for which they are collected. We store the Data in compliance with French laws and regulations, and according to the specific duration imposed by the provision of services, suppliers and ICANN.

Data subject to a specific storage period are separated logically and access to them is restricted to employees directly concerned.

As part of the management of the business relationship, we retain your contact Data for a period not exceeding five (5) years following the end of the business relationship between us, stored in order to establish a right, a contract, in respect with legal obligation.

Billing or accounting data is also strictly accessible only to the relevant employees at Nameshield, and are deleted once the legal retention period has passed.

The Data necessary to carry out marketing operations (loyalty, commercial prospecting) are kept for the duration of the commercial relationship and for three (3) years following our last exchanges.

By subscribing to services, we keep Data on our servers for the duration required to provide the service. Except for certain specific cases, Data are not retained when the service is completed or no longer requires Data. Thus, when you register a generic domain name (gTLD), contact data related to the domain name is kept for the duration of the registration and then for the duration prescribed by the accreditation contract between us and ICANN.

## 8. Security measures taken for personal data

We take all precautions to preserve the security of all or part of the Data relating to you, and in particular to prevent it from being distorted, damaged, lost, destroyed or used in a fraudulent manner.

In addition, all of our registrar activities are certified by ISO 27001 certification as part of the management of an information security management system. The purpose of this standard is to ensure that information system security is fully integrated in every service we offer to you.

With this certification, we comply with the safety requirements set out in the various national and European regulations.

As a result, our security commitments are both in the area of organizational as well as technical security measures. For example, we implement regular risk management control processes to ensure data security, logical separation of data access, strict access management policy, and data backup and management measures that meet the highest security standards.

ISO27001 certification allows us to be active in a continuous improvement process that is subject to annual internal audits.

## 9. How to manage your personal data

Due to the contractual relationship concluded with you, or with your company, you can exercise your rights indirectly with our client's main contact person, or directly with us, by contacting us at the contact details indicated below.

We undertake to acknowledge receipt of your requests within a reasonable delay not exceeding seven (7) calendar days. We may require you to prove your identity by providing a copy of an official identity document before we respond to your request.

We are committed to respecting your rights:

- You have the right to request information about your Data;
- You have the right to request a copy of your Data in a standard format;
- You have the right to modify or correct your Data if they are incorrect;



You have the possibility to modify your Data for specific services by connecting to our relevant administration platforms, by [clicking here](#).

**Important notice:** Up-to-date Data is an obligation in the registration and management of domain names, since extension registries as well as ICANN require registrant data to be true and current.

- You have the right to request a limitation of the processing of your Data;

**Important notice:** The right to processing limitation is subject to the nature of the services we provide to you. Indeed, some services, such as domain name registration, require contact data from natural persons. Whenever possible, we inform you of the possibility of making the information's on these services generics.

- You have the right to request the deletion of your Data;

**Important notice:** Any request for deletion must be made in consultation with your company, if applicable. Some Data are indeed required for the provision of services. The deletion of your data may result in the deletion of some services, such as domain names or security certificates.

- You have the right to consent to publish your Data;

This provision applies to domain name services. Whenever technically possible, i.e. when the extension registry offers a Whois directory (which is the case for all generic gTLD extensions), you may consent to the publication of all Data in a Whois record, subject to obtaining the explicit consent of the concerned persons (owner, administrative and, where applicable, technical contact). This right to consent to publish your Data does not exclude your right to withdraw your consent at a later time.

Finally, you have the right to file a complaint to a data protection authority, in France, the "Commission Nationale de l'Informatique et des Libertés" (CNIL).

## 10. How to contact us

For any questions regarding this Policy, our data processing practices, or to exercise your rights, you can contact us using the following contact details:

**By post** - You can contact us by post by writing to "Nameshield SAS - Data Privacy - 79, rue Desjardins - 49100 Angers - France".

**By e-mail** - You can exercise your rights in general by writing to the following e-mail address: "privacy@nameshield.net". You can also address specific requests related to the management of your domain names to your regular customer service managers.

## 11. Amendment of the Policy

We inform you that this Policy is subject to modification. Depending on the nature of the modification, we will notify you by publishing the change on this page or by email. We therefore recommend that you regularly consult our website to be informed of any updates to this Policy.