

## Frequently Asked Questions

### 1) What is GDPR?

The GDPR is a new European law that comes into effect on May 25, 2018 (repealing the current data protection Directive 95/46/EC). It applies to the processing of personal data in the European Union (EU) and as well as the processing of personal data belonging to European citizens outside of the EU when performed as part of a good or service offered in the EU, or where EU citizens' activities within the EU are monitored.

GDPR regulates two types of entities that process personal data: (1) controllers, who collect personal data and determine the purpose for which the data will be processed, and (2) processors, who perform specific processing activities on behalf of a controller.

### 2) Is Eden a data processor or controller?

Eden is both processor and controller. A controller collects personal data and determines the purpose for which such data will be processed. A processor performs specific processing activities on behalf of a controller. Eden is a controller in its human resources, sales, and marketing functions. Alternately, Eden is a processor in its handling of personal data on behalf of a third party, such as during the provision of cloud services, managed services, and L3 support.

### 3) What has Eden done to become compliant as both data controller and data processor?

Eden has created a detailed inventory of what personal data each functional area within the company (HR, Sales, Marketing, Finance, Marketing, etc.) collects, what they do with the data (how they work with, transfer, data, process data, etc.), and how the data is protected.

Eden has identified and made a list of suppliers/service providers who process personal data on Eden's behalf. Eden is in the process of having these suppliers sign an addendum confirming that they will process any such personal data in compliance with GDPR.

Eden has updated its external Privacy Policy to be GDPR-compliant. Eden is also updating its internal human resources and other internal policies to ensure GDPR compliance.

Eden is ensuring that the consents it obtains for its marketing efforts are GDPR-compliant.

Eden has made a Data Processing Addendum (DPA) available to enterprise customers whose personal data Eden processes.

Eden has created intercompany agreements between Eden entities which permit them to share personal information required to run Eden's business, including internal functions, in a GDPR-compliant manner.

Eden is rolling out GDPR training.

Eden has reviewed the internal security measures/processes it has in place around personal data to ensure all personal data stored by Eden is kept safe and is only accessed by the appropriate people.

#### 4) What about Eden products?

Cloud: Where Eden processes personal data on behalf of its cloud customers (e.g., during the provision of cloud services), we will comply with the obligations that GDPR places on data processors, including the following:

take appropriate technical and organizational measures to secure customer personal data  
report personal data breaches to the customer  
assist the customer in responding to data subject requests received by its customers

On-Site: When Eden provides on-site products that do not send personal data back to Eden, Eden is not regulated by GDPR, as it is the customer (and not Eden) who processes the personal data. In this case, the GDPR compliance obligations fall on Eden customers who may use the technical and organizational measures of Eden's product within their own compliance initiatives.

#### 5) How does GDPR affect Eden customers?

Under GDPR, where a controller entrusts personal data to a processor for handling data on its behalf, GDPR requires that the controller ensure the data will be handled in a GDPR-compliant manner. Where Eden processes personal data on behalf of its enterprise customers (e.g., during the provision of cloud services, managed services, and support services), we will comply with the obligations that GDPR places on data processors, including the following: Eden is pleased to provide all customers with a pre-signed DPA outlining our commitments to customers. Eden's DPA meets the requirements of GDPR Article 28.

take appropriate technical and organizational measures to secure customer personal data

report personal data breaches to the customer

assist the customer in responding to data subject requests received by its customers

6) Do partners or distributors who resell licenses to Eden on-site products need a DPA, and is one available?

If you resell licenses to Eden on-site products, unless Eden assists in your provision of managed services or maintenance services, you do not need a DPA from Eden, as Eden does not have access to personal data held within the Eden on-site product. Where Eden assists you in your provision of managed services or maintenance services, Eden may process personal data held in the on-site product and you can download Eden's pre-signed DPA covering such data processing.

7) Does Eden process the personal data of partners and distributors who resell Eden on-site product licenses?

Where partners or distributors have provided Eden with personal data belonging to the contacts in their organization (e.g., sales professionals), Eden acts as a data controller and will treat such personal data in accordance with our Privacy Policy.

8) What categories of personal data are processed by Eden?

The categories of personal data Eden processes when providing cloud services, managed services, and L3 support Eden are outlined in Annex 1 of Eden's DPA on Eden.com. Eden acts as a controller for both internal employee information (i.e., Human Resources functions) and in its marketing and sales activities. Details of the marketing and sales categories can be found in Section 6 of the Privacy Policy on Eden.com.

9) Who authorizes access to personal information within Eden?

Access to personal information is defined by the role of the individual and follows Eden internal security requirements for access control.

10) Does Eden have defined and documented policies and procedures for governing personal data, including a statement of commitment to data protection and/or privacy?

Yes. Eden maintains an up-to-date Privacy Policy available on Eden.com. We also maintain internal privacy-related notices, processes, and procedures.

11) How does Eden communicate any changes to its method for processing a partner's or customer's personal data?

In Eden's function as controller, we commit to updating our Privacy Policy to inform our customers of any changes to the way we handle their personal data. The Eden Privacy Policy is publicly available on our website.

As a data processor, we keep an updated DPA on Eden.com that outlines how we process data in systems within our control.

12) How does Eden handle subcontractor agreements/contracts, with regards to the GDPR?

Eden subcontractor contracts must comply with Article 28 of the GDPR and, as such, place appropriate obligations on subcontractors as outlined in the Eden DPA.

13) Who do I contact if I have questions not addressed here?

Some of the most common customer questions are listed in this FAQ as well as within the updated Eden Privacy Policy on Eden.com. Prior to May 25, 2018, you can send all queries to [gdpr@Eden.com](mailto:gdpr@Eden.com) for any GDPR-related questions not listed here.

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