

**PRIVACY POLICY**

-

**GDPR COMPLIANCE**

-

**UPDATED FEBRUARY 2024**

**Table of contents**

- 1. Services to clients and prospects..... 3
- 2. Alumni Community.....10
- 3. Who do we share your data with?.....13
- 4. Is your data being transferred outside the European Economic Area? .....14
- 5. What are your rights? .....14
- 6. Changes to this Privacy Policy .....15

# Preamble

This Privacy Policy covers the use by CMS Francis Lefebvre whose registered office is located at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex (“we”, “us”, “our”, “**CMS Francis Lefebvre**”) of personal data concerning (I) its clients, prospects and (II) members of the alumni community (“**your information**”).

CMS Francis Lefebvre is a member of the CMS network. CMS Francis Lefebvre may be required to disclose certain information about you to other member firms of the CMS network. The terms and conditions of use of the data concerned by the recipients are governed by a “data sharing” agreement concluded between the members of the CMS network and aimed at ensuring the security of your data. For more information on the transfer of some of your data with the CMS network, please refer to our website ([cms.law](https://www.cms.law)).

Please review the following Privacy Policy which explains how we use and protect your information.

For any request concerning the processing of your personal data, you may contact our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

For the purposes of this document, the terms “Personal Data”, “Processing”, “Controller” and “Processor” have the definition given to these terms in Article 4 of the European Regulation, 2016/679 of 27 April 2016 (hereinafter the “General Data Protection Regulation” or “GDPR”). The expression “Applicable Data Protection Legislation” refers to the GDPR and French Data Protection Act No. 78-17 of 6 January 1978.

## 1. Services to clients and prospects

### 1.1 Processing of client files

In accordance with Articles 13 and 14 of the GDPR, we hereby inform you that we are required to process your data in the context of our activity as a law firm in the capacity of controller.

This data is processed in accordance with our ethical obligations in order to compile and monitor your client file and more precisely: to process all your requests, to defend you before authorities, courts or tribunals of competent jurisdiction, to communicate with you by e-mail and by written letter and to send you the corresponding invoices for services provided by CMS Francis Lefebvre.

Our missions to advise and defend our clients require in certain cases the collection and use of sensitive personal data concerning you (i.e. information on your racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life and sexual orientation, genetic or biometric data and data relating to criminal offences).

For example, in matters of social, tax or social security representation, sensitive personal information may be requested by CMS Francis Lefebvre in order to defend your interests before authorities, courts or tribunals of competent jurisdiction and to help you comply with the rights and obligations of applicable laws.

We process your data on the basis of performance of the contract between you and us, where applicable, and fulfilment of legal obligations.

We also process your data on the basis of our legitimate interest, to administer and manage our relationship with you internally, to manage access to our premises, for insurance purposes, and to exercise or defend our legal rights.

For any request concerning the processing of your personal data, you may contact our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

### **a) What data do we process?**

In the context of these processing operations, we process the following data:

- Identity: civil status, surname, first name, internal client identification code;
- Personal life: address, date of birth, e-mail address and telephone number;
- Working life: occupation, function, line of business, company name, e-mail address, telephone number;
- Economic and financial information: postal or bank account details, cheque number, method of payment, discounts granted, receipts, balances and outstanding payments;
- Sensitive data that you are required to communicate to us.

As court officers, we use data relating to criminal convictions, offences or related security measures that you may have been subject to. This processing does not exceed the strict requirements for the exercise of the missions entrusted to us by law, in accordance with Article 9, 2° of Act No. 78-17 of 6 January 1978.

In addition, we process data concerning you that falls into special categories within the meaning of Article 9 of the GDPR, when this is strictly necessary for the establishment, exercise or defence of legal rights.

For any request concerning the processing of your personal data, you may contact our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

### **b) Who do we outsource your data to?**

We outsource the processing of your data to our technical service provider Collaborate, in charge of the generation and management of extranets and workspaces, located within the European Union.

### **c) How long is your data kept?**

Your data will be kept for a period not exceeding what is necessary for the fulfilment of the purposes set out in this Privacy Policy.

If your data is no longer necessary for the purposes set out in this Privacy Policy, it will be duly deleted unless it is necessary to keep it for a longer period (i) to ensure compliance with legal, accounting and tax retention obligations (ii) for the retention of evidence for the applicable

limitation periods, (iii) for the exercise of CMS Francis Lefebvre's rights in the event of litigation or legal proceedings for the duration of the proceedings.

We usually keep your data for a period of 5 years starting from the end of our contractual relationship with you.

## **1.2 Sending communications**

### **a) Sending newsletters, invitations to events and other corporate communications**

In accordance with Articles 13 and 14 of the GDPR, we hereby inform you that as controller, we process your data for the purpose of sending newsletters and distributing invitations to CMS Francis Lefebvre's events.

We send you newsletters, invitations to events and other corporate communications on the basis of our legitimate interest but also content tailored to your areas of interests on the basis of your consent. We are also required to process your data for statistical purposes on the basis of our legitimate interest.

We may also be required to send you newsletters, invitations and corporate communications from the CMS Network ([cms.law](https://www.cms-law.com)) on the basis of our legitimate interest but also content tailored to your areas of interests on the basis of your consent. We provide statistical monitoring of these mailings on the basis of our legitimate interest.

For any request concerning the processing of your personal data, you may contact our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

### **b) Sending invitations to events and other corporate communications jointly with our partners**

We may be required to process your data for the purpose of distributing invitations to events organised by some of our partners or the CMS network in partnership with another organisation, in our capacity as controller. We may also be required to act as processor within the meaning of the GDPR on behalf of our partner for certain specific processing operations (management of the guest list, management of registrations). We systematically inform you in what capacity we intervene in the processing of your data in the communications of any kind that we send you.

When we act as controller, we send you invitations to events and other corporate communications on the basis of our legitimate interest but also content tailored to your areas of interests on the basis of your consent. We are also required to process your data for statistical purposes on the basis of our legitimate interest.

We may, with your consent, disclose your personal data to our partners who are co-organisers or sponsors of an event. It may be the case that this partner is located in a country outside the European Economic Area, which does not ensure an adequate level of protection as defined by the European Commission. We make such transfers, where applicable, subject to the conclusion of standard transfer clauses in accordance with the models drawn up and published by the European Commission, which provide appropriate safeguards for the protection of your data and your rights.

For any request concerning the processing of your personal data, you may contact our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522

Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

**c) Digital platforms**

For the purpose of managing the various digital platforms to which CMS Francis Lefebvre gives you access, we process your data in order to send you newsletters, tailored if necessary to the preferences you may have indicated, on the basis of performance of the contract between you and us. We provide statistical monitoring of these mailings on the basis of our legitimate interest.

**d) LEXplicite**

For the purpose of managing the LEXplicite platform, we process your data in order to send you newsletters and a selection of the latest published regulatory watch articles, on the basis of your consent. We provide statistical monitoring of these mailings on the basis of our legitimate interest.

**e) What data do we collect?**

We process the following data in order to be able to contact you:

- Identity: civil status, surname, first name;
- Working life: occupation, line of business, company name;
- Contact information: e-mail address, telephone number;
- Option to receive newsletters.

In addition, we process certain information about your interactions with the platforms you use and your reaction to our e-mails, which we may collect by means of trackers: date and time of delivery, opening and unsubscribing, as well as the number of clicks.

<b>Types of trackers</b>	<b>Purposes</b>	<b>Retention period</b>
Redirect Url to the hypertext links contained in the communications	Statistical analysis of clicks on communications components	13 months
Pixel or invisible image	Identification of the rate of opening of communications	
Cookies for statistical analysis	Study of interactions with digital platforms	

In addition, we process data that you may have entered directly on the digital platforms to which CMS Francis Lefebvre gives you access, or within the Preference Center that we make available to you, in order to be able to send you content tailored to your preferences, i.e. your areas of interests, and your consent to receive certain communications.

Finally, we will be required to collect certain information about you published on professional social networks (LinkedIn for example), in order to complete your recipient profile and to tailor the content of the communications sent to you in this respect.

**f) Who do we outsource the processing of your data to?**

In order to optimise the sending and management of our communications, we outsource the processing of your data to our hosting provider as well as to various third-party service providers specialised in the management of external communications, in order to collect the data referred to above, to use it for sending purposes and to analyse it.

Some of these service providers are located outside the EU. Where applicable, we have concluded standard transfer clauses with them, in accordance with the models drawn up and published by the European Commission. In addition, our service providers located in the United States are Privacy Framework certified. We have carefully considered our legitimate interests and we have weighed our legitimate interests against your rights under data protection. We consider these transfers to be proportionate as we will only share data that is relevant for the purposes of sending corporate communications and statistical monitoring. You can expect, and we demand from our partners, that your data protection rights are respected.

We take appropriate steps to ensure that our processors process your personal data in accordance with Applicable Data Protection Legislation.

These measures include the signing of a data processing agreement which requires processors, *inter alia*, to process your personal data only on our instructions, not to engage a secondary processor without our consent, to take appropriate technical and organisational measures to ensure the security of your personal data, to ensure that the persons authorised to access the data are subject to confidentiality obligations, to return and/or destroy your personal data at the end of their assignment or contract, to undergo audits and to provide us with assistance in following up on your requests to exercise your rights in relation to your personal data.

**g) How long is your data kept?**

Your personal data is kept for periods not exceeding those necessary for the purposes for which it is processed, taking into account the sensitive nature of the data processed, the applicable limitation periods, as well as the legal or regulatory obligations imposed on CMS Francis Lefebvre. The retention periods are specified under Article 1.3.

Your data may be retained for longer periods if the law provides otherwise or if such data is required by us in connection with ongoing or potential legal proceedings.

**1.3 What processing activities do we perform?**

The various processing activities are as follows:

Processing activity	Collected data	Legal basis	Retention periods
Creation of client files and defence of your interests	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- the name of your company and</li> </ul>	Performance of the contract	Duration of the contractual relationship

	<p>your function within this company;</p> <ul style="list-style-type: none"> <li>- your contact details (telephone number, e-mail address);</li> <li>- economic information (postal or bank account details, cheque number);</li> <li>- any other useful information, including certain data relating to criminal convictions, offences or related security measures, as well as data in special categories.</li> </ul>	<p>Fulfilment of legal obligations</p> <p>Legitimate interest of CMS Francis Lefebvre</p>	<p>and in accordance with French civil law</p>
Mailings	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone numbers, e-mail addresses).</li> </ul>	<p>Legitimate interest of CMS Francis Lefebvre</p>	<p>3 years starting from the last active contact with you</p>
Management of recipient profiles	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone numbers, e-mail addresses);</li> <li>- the data that you may have made public on social networks (LinkedIn for example);</li> <li>- your consent to receive certain communications;</li> </ul>	<p>Legitimate interest of CMS Francis Lefebvre</p>	<p>3 years starting from the last active contact with you</p>



	- your wish to unsubscribe.		
Reprocessing of satisfaction questionnaires	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone number, e-mail address);</li> <li>- the data that you may have entered in the satisfaction questionnaire that you will have handed in after the event, if applicable.</li> </ul>	Legitimate interest of CMS Francis Lefebvre	3 years starting from the last active contact with you
Adaptation of content	<ul style="list-style-type: none"> <li>- data about your areas of interests collected;</li> <li>- the information collected through cookies and other trackers, especially when you browse our e-mails: delivery, opening, clicks.</li> </ul>	Consent	3 years starting from the last active contact with you
Compilation of statistics	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone number, e-mail address);</li> <li>- the data that you may have made public on social networks (LinkedIn for example);</li> <li>- the data about your interests collected through the Preference Center;</li> </ul>	<p>Legitimate interest of CMS Francis Lefebvre</p> <p>Consent with regard to data collected through the Preference Center and data collected on the behaviour of the client or prospect.</p>	3 years starting from the last active contact with you

	<ul style="list-style-type: none"> <li>- your consent to receive certain communications;</li> <li>- your wish to unsubscribe;</li> <li>- the information collected when you browse our e-mails: delivery, opening, clicks.</li> </ul>		
Communication of information to other firms in the CMS network	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone number, e-mail address).</li> </ul>	Contractual execution Legitimate interest	3 years starting from the last active contact with you
Specific "Tax Intelligence" subscription mailing	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- your contact details (e-mail address);</li> <li>- your preferences entered on the dedicated platform;</li> <li>- your choice of option for receiving newsletters;</li> <li>- your interaction logs with the platform</li> </ul>	Performance of the ongoing assistance contract concluded with CMS Francis Lefebvre	Duration of the ongoing assistance contract  7 days starting for the data relating to the mailings
Specific "RegIT" subscription mailing	<ul style="list-style-type: none"> <li>- your surname and first name;</li> <li>- your contact details (e-mail address);</li> <li>- your preferences entered on the dedicated platform.</li> </ul>	Performance of the contract	[2 years]
Sending newsletters and selections of regulatory watch articles	<ul style="list-style-type: none"> <li>- your contact details (e-mail address)</li> </ul>	Consent	3 years starting from the last active contact with you

## 2. Alumni Community

We may be required to process your data for the purpose of managing the Alumni Community. In this context, we will send you invitations to events and other corporate communications as well as content tailored to your areas of interests, on the basis of your consent. We provide statistical monitoring of your reactions to these mailings.

**2.1 What data do we collect?**

For the purpose of your integration within CMS Francis Lefebvre’s Alumni, we collect some of your personal data such as your postal address, your mobile phone number, your personal e-mail address, your maiden name, your current position and your current company.

In addition, we may be required to process certain information concerning your reaction to our e-mails, which we may collect by means of trackers: the date and time of delivery, opening and unsubscription, as well as the number of clicks.

<b>Types of trackers</b>	<b>Purposes</b>	<b>Retention period</b>
Redirect Url to the hypertext links contained in the communications	Statistical analysis of clicks on communications components	13 months
Pixel or invisible image	Identification of the rate of opening of communications	

We may also be required to process the data you may have entered in the questionnaires we send you periodically, in order to send you content tailored to your preferences and areas of interests.

Finally, we may be required to collect certain data about you published on professional social networks (e.g. LinkedIn) in order to register and update your profile.

**2.2 What processing do we do?**

The processing activities for the purpose of managing the Alumni Community are as follows:

<b>Processing activity</b>	<b>Collected data</b>	<b>Legal basis</b>
Sending communications	<ul style="list-style-type: none"> <li>- your surname (including maiden name if applicable) and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone number, e-mail address, postal address);</li> <li>- any preferences you may have entered in the questionnaires.</li> </ul>	Consent

<p>Integration within the Alumni Community and profile management</p>	<ul style="list-style-type: none"> <li>- your surname (including maiden name if applicable) and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone number, e-mail address, postal address);</li> <li>- the data that you may have made public on social networks (LinkedIn for example);</li> <li>- your wish to unsubscribe;</li> <li>- any preferences you may have entered in the questionnaires.</li> </ul>	<p>Consent</p>
<p>Adaptation of the invitations we send you</p>	<ul style="list-style-type: none"> <li>- your preferences that you may have entered in the questionnaires;</li> <li>- the information collected through cookies and other trackers, especially when you browse our e-mails: delivery, opening, clicks.</li> </ul>	<p>Consent</p>
<p>Compilation of statistics</p>	<ul style="list-style-type: none"> <li>- your surname (including maiden name if applicable) and first name;</li> <li>- the name of your company and your function within this company;</li> <li>- your contact details (telephone number, e-mail address, postal address);</li> <li>- the data that you may have made public on social networks (LinkedIn for example);</li> <li>- your preferences that you may have entered in the questionnaires;</li> <li>- your wish to unsubscribe;</li> <li>- the information collected when you browse our e-mails:</li> </ul>	<p>Legitimate interest of CMS Francis Lefebvre</p>

	delivery, opening, clicks.	
--	----------------------------	--

### 2.3 Who do we outsource the processing of your data to?

In order to improve our communications, we outsource the processing of your data to a third-party service provider, namely Concep, in order to collect and analyse the data referred to above. The service provider hosts the data on European territory.

We take appropriate steps to ensure that our processor processes your personal data in accordance with Applicable Data Protection Legislation.

These measures include the signing of a data processing agreement which requires processors, *inter alia*, to process your personal data only on our instructions, not to engage a secondary processor without our consent, to take appropriate technical and organisational measures to ensure the security of your personal data, to ensure that the persons authorised to access the data are subject to confidentiality obligations, to return and/or destroy your personal data at the end of their assignment or contract, to undergo audits and to provide us with assistance in following up on your requests to exercise your rights in relation to your personal data.

### 2.4 How long is your data kept?

We will retain your data until you notify us of your wish to no longer be part of the CMS Francis Lefebvre Alumni Community. You may express this wish at any time by contacting our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

## 3. Who do we share your data with?

We may share your personal data with the following recipients:

- Our partners - who are members of the CMS network - located in the European Union, within the framework of the exchange of information set up between the various firms of the CMS network;
- Our technical service providers for invoice management, CRM, hosting, archiving and statistical monitoring;
- Our advisers and those of potential purchasers in the context of restructuring, disposal, M&A or litigation operations;
- Government entities and administrations authorised to access and/or obtain your personal data;
- Courts and tribunals of law in the event of litigation involving you;
- Law enforcement authorities in the event that an offence involving you is known or suspected to have occurred in accordance with or as required by applicable law;
- In the event of a restructuring, disposal or M&A operation (including reorganisation), we may transfer your personal data to a third party involved in the operation (for example, a purchaser), in accordance with our ethical obligations and Applicable Data Protection Legislation.

## 4. Is your data being transferred outside the European Economic Area?

Some of our processors are located outside the European Union.

In addition, if you have given your consent, your data may be transferred to non-European Union countries outside the European Economic Area within the framework of the exchange of information set up between the various firms of the CMS network.

These firms and service providers are established in countries that do not ensure an adequate level of protection as defined by the European Commission. We have therefore concluded standard transfer clauses with all of these recipients, in accordance with the models drawn up and published by the European Commission. In addition, our service providers located in the United States are Privacy Framework certified. We consider this transfer to be proportionate in that we will only share data that is relevant to the processing of your requests, the sending of corporate communications and statistical monitoring. You can expect and we require our service providers and members of the CMS network to respect your rights regarding the protection of your data.

## 5. What are your rights?

You have the following rights regarding your personal data:

<b>Rights</b>	<b>What does that mean?</b>
1. Right to be informed	You have the right to receive clear, transparent and easily understandable information about how we use your personal data and about your rights. That is why we provide you with the information contained in this Privacy Policy.
2. Right of access	You have the right to access your personal data (if we process it) and certain other information (comparable to that contained in this Privacy Policy). This is so that you are informed and can check that we are using your personal data in accordance with applicable data protection legislation.
3. Right of correction	You have the right to have your personal data corrected if it is inaccurate or incomplete.
4. Right to erasure	Also known as "the right to forget". This right allows you to request the deletion or removal of your personal data if there is no compelling reason why we should retain it. It is not a general right to erasure; there are exceptions.
5. Right to limit processing	You have rights to "block" or prevent further use of your personal data in certain circumstances. Where processing is limited, we may continue to store your personal data, but we may no longer use it. We keep lists of people who have requested that the use of their

	personal data be "blocked" so that the limitation can be complied with at a later date.
6. Right to data portability	You have the right to access and re-use your personal data in a structured format, usually used and exploitable by a machine in certain circumstances. In addition, where certain conditions apply, you have the right to obtain the direct transfer of this information to a third party.
7. Right to object to processing	You have the right to object to certain types of processing, in certain circumstances, in particular the right to object to the processing of your personal data based on our legitimate interests or on grounds of public interest; the right to object to its processing for direct marketing purposes (including profiling); the right to object to the use of your personal data for scientific or historical research or statistical purposes in certain circumstances.
8. Right to withdraw consent	If you have given your consent to our processing of your personal data, you have the right to withdraw it at any time (although, if you do so, this does not mean that the use of your personal data with your consent is unlawful up to that point). This right includes, in particular, the right to withdraw your consent for us to use your personal data for direct marketing purposes.
9. Right to give instructions regarding the use of your data after your death.	You have the right to give us instructions regarding the management of your data after your death and who will be authorised to make decisions regarding your data.

### Exercising your rights

You may exercise your rights at any time by contacting our Data Protection Officer, by e-mail at [dpo@cms-fl.com](mailto:dpo@cms-fl.com), in person or by post at 2 rue Ancelle, 92522 Neuilly-sur-Seine Cedex France, accompanied by a copy of a signed identity document, or by contacting us on +33 1 47 38 55 01.

If you are not satisfied with the response given to any complaint or if you believe that the processing of your data does not comply with data protection legislation, you may submit a complaint to the French Data Protection Authority (*Commission Nationale de l'Informatique et des Libertés* - CNIL) by using the following contact details:

Address: Commission Nationale de l'Informatique et des Libertés (CNIL), 3 place de Fontenoy  
TSA 80715 – 75334 PARIS CEDEX 07

Telephone number: +33 1 53 73 22 22

Website: [www.cnil.fr](http://www.cnil.fr)

## 6. Changes to this Privacy Policy

We may update this Privacy Policy at any time. If we make any material changes to the way we process your personal information or to this Privacy Policy, we will notify you through our website or by other means, such as e-mail.