

# PRIVACY POLICY

## 1 INTRODUCTION

- 1.1 Linn Systems Ltd respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website, [www.linnworks.com](http://www.linnworks.com) (regardless of where you visit it from), including when you use the Linnworks platform and associated services. It will also tell you about your privacy rights and how the law protects you.
- 1.2 References to "**you**" or "**your**" are to you as an individual using our website (either on behalf of yourself, your business or another individual or organisation).
- 1.3 This privacy policy aims to give you information on how Linn Systems collects and processes data through your use of our website, including any data you may provide when you sign up as a customer, use the Linnworks platform, register for an event, complete a survey or otherwise contact us.

## 2 IMPORTANT INFORMATION

- 2.1 It is important that you read this privacy policy together with any other privacy policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements the other notices and is not intended to override them.
- 2.2 This version was last updated on 10 May 2018.
- 2.3 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.
- 2.4 Our website is not intended for children and we do not knowingly collect data relating to children.
- 2.5 Our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our websites, we encourage you to read the privacy policy of every website you visit.

## 3 WHO WE ARE

- 3.1 We are Linn Systems Ltd, a company registered in England and Wales. Our company registration number is 06784391 and our registered office is at Suite 3, 2-4 Southgate, Chichester, West Sussex, PO19 8DJ, United Kingdom. We operate the website and provide the Linnworks Platform. Linn Systems Ltd is the controller and responsible for your personal data (referred to as "**Linn Systems**", "**we**", "**us**" or "**our**" in this privacy policy).
- 3.2 We operate the eCommerce platform known as "Linnworks". Linnworks comprises order management software which automates your entire online selling process providing you with tools and support to scale your eCommerce business across multiple marketplaces. We provide this software as a platform / a service, and the information that our customers use or process via our platform / service may contain personal data. We provide the Linnworks platform service as a processor on behalf of our customers who act as the controller of this information used on the platform. It is the responsibility of our customers to determine how this personal data is processed and deleted and to ensure there is a lawful basis for its use. If you have any specific queries or concerns about how this data is being handled, you should contact the relevant

organisation (our customers) in their capacity as a controller.

3.3 We are bound by applicable data protection laws in respect of the handling and collection of your personal data. We are registered as a data controller with the Information Commissioner's Office (ICO) under the registration number ZA015143.

3.4 If you have any questions about this privacy policy, including any requests to exercise your legal rights as set out in section 12, please contact us using the contact details in section 13.

## 4 THE DATA WE COLLECT ABOUT YOU

4.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data) or data relating to a corporate entity.

4.2 We may collect, use, store and transfer different kinds of personal data about you, your staff or your business, which we have grouped together as follows:

- **Identity Data** includes first name, last name and title.
- **Contact Data** includes business address, billing address, email address(es), telephone number(s) and fax number(s).
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.
- **Profile Data** includes your username and password, purchases and orders made by you, your browsing history, account preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

4.3 We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

4.4 We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

## 5 IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with

you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our products or services). In this case, we may have to suspend or cancel a product or service you have with us but we will notify you if this is the case at the time.

## 6 HOW WE COLLECT YOUR PERSONAL DATA

We use different methods to collect data from and about you including through:

6.1 **Direct interactions.** You may give us your Identity, Contact and Profile Data by filling in forms or by corresponding with us by post, phone, email, online platform or otherwise. This includes personal data you provide when you:

- set up your account and subscribe to Linnworks or purchase any other of our products, apps and services;
- sign up to become a customer (as an individual or sole trader) or sign up as a customer on behalf of a corporate entity;
- meet with one of our members of staff to discuss our products and services or otherwise contact us. If you contact us by telephone, this conversation may be recorded but you will be informed about this at the beginning of the call;
- subscribe to our publications;
- request marketing to be sent to you;
- enter a competition, promotion or survey; or
- give us some feedback.

6.2 **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see the section on cookies below.

6.3 **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

- Identity and Contact Data from our authorised resellers, introducers and other partners who you have given such information to so that they can upload it to our systems and we can provide products and services to you;
- Identity, Contact and Transactional Data from providers of technical, payment and delivery services such as PayPal (Europe) S.a.r.l. et Cie, S.C.A.;
- Technical Data from analytics providers such as Google based outside the EU and Hotjar based within the EU; and
- Identity and Contact Data from publicly available sources such as websites of relevant, prospective customers and Companies House.

## 7 HOW WE USE YOUR PERSONAL DATA

7.1 We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- **Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- **Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- **Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.
- **Consent** means where we have obtained your agreement to process your personal data. Consent must be freely given, specific, informed and be an unambiguous indication of your wishes for us to process your personal data (this may be collected by you ticking a box). Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending marketing material to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you or our customer as a new customer	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract with you, where you are an individual or sole trader  (b) Necessary for our legitimate interests (to provide our products and services to our customers (i.e. when you are an individual who works for and on behalf of our customer))
To process and deliver orders and provide our services to you or our	(a) Identity	(a) Performance of a contract with you, where you are an individual or sole trader

<p>customer, including:</p> <p>(a) Manage payments, fees and charges</p> <p>(b) Collect and recover money owed to us</p> <p>(c) Sending you renewal invoices</p> <p>(d) Reminding you if a Linn Systems audit is required</p> <p>(e) Hosting and operating the Linnworks platform</p>	<p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Transaction</p> <p>(e) Marketing Communications</p>	<p>(b) Necessary for our legitimate interests (to provide our services to our customers (i.e. when you are an individual who works for and on behalf of our customers and to recover debts due to us)</p>
<p>8To manage our relationship with you or our customer which will include:</p> <p>(a) Notifying you about changes to our terms or privacy policy</p> <p>(b) Asking you to leave a review or take a survey</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing Communications</p>	<p>(a) Performance of a contract with you, where you are an individual or sole trader</p> <p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products and services)</p>
<p>To enable you to complete a survey</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing Communications</p>	<p>(a) Performance of a contract with you, where you are an individual or sole trader</p> <p>(b) Necessary for our legitimate interests (to study how customers use our services, to develop them and grow our business)</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p>	<p>Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)</p>

	(d) Usage (e) Marketing and Communications (f) Technical	
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	(a) Necessary for our legitimate interests (to develop our services and grow our business)  (b) Where you have provided your consent
To respond to requests for information regarding suspected or actual criminal activity including fraud	(a) Identity (b) Contact (c) Transaction (d) Technical (e) Profile (f) Usage	(a) Necessary for our legitimate interests (to prevent crime and fraud)  (b) Necessary to comply with a legal or regulatory obligation

## 7.2 Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have established the following personal data control mechanisms:

- Unsubscribe link displayed on every email newsletter and marketing communication;
- Ability to email us at [support@linnworks.com](mailto:support@linnworks.com) for account changes.

### 7.2.1 Promotional Offers from Us

If you provide your express, opt-in consent, we may use your Identity, Contact, Technical, Usage and/or Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products,

services and offers may be relevant for you (we call this marketing).

You can withdraw your consent at any time.

In some limited circumstances, we may contact you about similar products and/or services where you have purchased products or services from us and you have not opted-out of receiving this information.

### 7.2.2 Opting Out / Unsubscribing

You can ask us to stop sending you marketing messages at any time by following the unsubscribe links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, you may still receive messages for other purposes (such as providing the services to you).

## 7.3 Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a more relevant and meaningful digital experience when you browse our website and also allows us to improve our website. By continuing to browse the website, users are agreeing to our use of cookies.

A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer. We only use (and store) non-essential cookies on your computer's browser or hard drive if you provide your consent. Please contact us if you require information on how to switch off / disable cookies.

We use the following cookies:

Cookie	Purpose	Expiration	More information
<b>Google Analytics (Web Analytics):</b>			
<i>utma</i>	<i>Measuring first visit and last visit on visit</i>	<i>30 days</i>	<i>Full explanation of Google Analytics cookie usage available here: <a href="https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage">https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage</a></i>
<i>utmb/utmc</i>	<i>Measuring length of visit on the website</i>	<i>30 days</i>	
<i>utmz</i>	<i>Identifying source of medium, in which user arrived on website e.g. email, direct marketing, social media</i>	<i>30 days</i>	
<i>utmv</i>	<i>Identifying and categorising customers into segments</i>	<i>Permanent</i>	
<b>Hotjar (Web Analytics):</b>			

<i>hjlIncludedInSample</i>	<i>Track journey of user – identified by IP address</i>	<i>365 days</i>	
	<i>Record video, screenshots, and click data for each user – identified by IP address</i>		
	<i>Google Tag Manager is used to deploy the tracking code for HotJar</i>		
<b>Hubspot (Content Marketing):</b>			
<i>hstc</i>	<i>Campaign source tracking (e.g. email, organic search, direct marketing) to understand how the user arrived on the website.</i>	<i>2 years</i>	
	<i>Hubspot state they use 25 unique cookies within their platform. Full list can be found <a href="#">here</a>. This would be company-wide and not just marketing. Marketing use for hubspot analytics (identifying how user arrived at hubspot page), as well as the user journey (form submissions, page views, interactions).</i>		

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly.

Except for essential cookies, all cookies will expire as outlined under the expiration column in the table above.

#### 7.4 Change of Purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 8 DISCLOSURES OF YOUR PERSONAL DATA

For the purposes set out in section 7, we may have to share your personal data with the following parties:

8.1 **Internal Third Parties** such as other companies in the Linn Systems group (being our subsidiary companies, Linn Systems OU based in Estonia and Linn systems USA Inc. based in the United States) acting as joint controllers or processors for the purposes of providing technical support, quality testing, support with customer development projects and answering your queries in relation to Linnworks or other services.

8.2 **External Third Parties** such as:

- App providers acting as controllers (based within and outside of the EU) where you have purchased an app from them via the Linnworks platform, so that they can provide the app service and technical support to you (we will only share Identity and Contact Data with app providers).
- Service providers acting as processors based in the EU who provide delivery, payment, IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK and Estonia who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators, police and other authorities acting as processors or joint controllers based in the UK or Estonia who require reporting of processing activities in certain circumstances (such as criminal activity, suspected or actual fraud or tax evasion).
- Marketing and PR providers where you have agreed to a publication or article with us.

8.3 **Specific Third Parties** such as:

- **Amazon Web Services, Inc:** Based in the UK with a back-up facility in Ireland who provide hosting services for the Linnworks platform and our website.
- **PayPal (Europe) S.a.r.l. et Cie, S.C.A.:** Based in the EU who provide an online payment system for us to take payments from you.
- **Freshworks, Inc.:** Based in the US who provide our ticketing system which handles customer queries and enables us to provide tech support;
- **The Car Part Company Ltd (t/a Autonative):** Based in the UK who provide various services to us including e-commerce solutions.
- **Shopify Inc. through its Irish affiliate Shopify International Ltd:** Personal data may be processed in Canada and the United States but is subject to Shopify Inc.'s privacy policy in order to provide ecommerce platforms and related services.
- **eBay Inc. through its Luxembourg affiliate eBay Europe S.à.r.l.:** Based in the US but subject to eBay's privacy policy in order to provide ecommerce related services.

8.4 Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change

happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

- 8.5 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 9 **INTERNATIONAL TRANSFERS**

Certain of our external third parties are based outside the European Union (**EU**) so their processing of your personal data will involve a transfer of data outside the EU.

Whenever we transfer your personal data out of the EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EU.

## 10 **DATA SECURITY**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 11 **DATA RETENTION**

### **How long will you use my personal data for?**

- 11.1 We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- 11.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- 11.3 We will generally retain our customers' data for a period of 6 (six) years after a contract has ended, to ensure that we are able to assist you should you have any questions or feedback in relation to our products or services or to protect, or defend our legal rights, or for tax purposes.

- 11.4 Where we have processed your personal data to provide you with marketing communications with consent, we may contact you at least every twelve (12) months to ensure you are happy to continue receiving such communications. If you tell us that you no longer wish to receive such communications, your personal data will be removed from our marketing lists (but will be added to a "do not contact" list).
- 11.5 Where we have processed your data for any other reason (such as where you have contacted us with a question in connection with services), subject to section 11.3, we will retain your data for twelve (12) months.
- 11.6 In some circumstances you can ask us to delete your data: see section 12.1.3 below for further information.
- 11.7 In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 12 YOUR LEGAL RIGHTS

- 12.1 Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are detailed below:
  - 12.1.1 **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
  - 12.1.2 **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
  - 12.1.3 **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
  - 12.1.4 **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
  - 12.1.5 **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

12.1.6 **Request the transfer** of your personal data (as a data subject) to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

12.1.7 **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us directly.

## 12.2 **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

## 12.3 **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## 12.4 **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## 13 **CONTACT DETAILS AND COMPLAINTS**

Our full details are:

Full name of legal entity:	Linn Systems Ltd
Data Privacy Manager:	Svitlana Mawbey
Email address:	data.processing@linnsystems.com
Postal address:	Linn Systems Ltd Suite 3 2-4 Southgate, Chichester, West Sussex, PO19 8DJ
Telephone number:	+44 (0)20 3322 7375

You have the right to make a complaint at any time to the ICO, the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.