

Axway Product Privacy Notice for TRANSFER CFT

April 2024

Please read this Privacy Notice carefully to understand Axway policies and practices regarding how personal data may be collected and processed through Transfer CFT, and how the product processes that data.

Transfer CFT is used by customers to transfer files. The product does not store GDPR user data. The files transferred by this product are created by customers, Axway has no control on content or storage of the files, this is up to the customer.

SCOPE OF THIS PRODUCT PRIVACY NOTICE

This Privacy Notice applies solely to processing of personal data through Transfer CFT, when you use the product.

Unless otherwise specified, this Privacy Notice does not apply to any other information processed in any other way (whether online or offline).

For processing of personal data by Axway in the course of our business relationship, please refer to Axway's Privacy Statement (<https://www.axway.com/en/privacy-statement>), and Axway's Privacy compliance program (<https://www.axway.com/en/gdpr>).

PERSONAL DATA PROCESSED BY THE PRODUCT

There is no personal data processing through Transfer CFT itself.

Transfer CFT does not require personal data or any sensitive data, if you choose to process personal or sensitive data through Transfer CFT, you warrant that you are duly authorized to process those data and that you do so lawfully in compliance with relevant legislation.

As per our general terms and conditions, Axway shall not access your content except in response to support or technical issues where you provide us with prior written authorization, required to access such content.

PROCESSING OF PERSONAL DATA BY THE PRODUCT

Who is the data controller?

When you choose to process personal data through the product, you are the controller of the processing and therefore warrant that your processing is compliant with all laws and regulations in force applicable to your processing of personal data (Applicable Laws and Regulations), including the Regulation (EU) 2016/679 (General Data Protection Regulation).

What is the purpose of the processing of personal data by the product?

As data controller, you determine the means and purpose of the processing of personal data, if any, you make using the product.

As the controller of the processing, you are responsible for ensuring that any processing you make using the product is compliant with the Applicable Laws and Regulations. Axway shall have no responsibility if your use of the product is not compliant with the Applicable Laws and Regulations.

Is Axway a data processor?

When you are managing the hosting environment for Transfer CFT (**Customer Managed Subscription** or **Product License**), you do not need to give access to any personal data to Axway to use Transfer CFT therefore, Axway does not process any personal data on your behalf as processor.

When Axway is managing the hosting environment for Transfer CFT (**Axway Managed Subscription**), and you choose to process personal data through the product, Axway is a processor of such personal data, on your behalf.

If any personal data is to be processed by Axway as a data processor on your behalf, it is mandatory to establish a data processing agreement (“DPA” as completed on our website or otherwise agreed to in writing) in which you determine the purposes and means of the data processing you want Axway to process on your behalf.

In any case, it remains your responsibility and liability (as controller) to implement effective technical and organizational measures and be able to demonstrate the compliance of processing activities even if the processing is carried out by Axway acting as data processor on your behalf.

When Axway is processor, are there sub-processors?

Sub-processors: When Axway is managing the hosting environment, Transfer CFT is hosted by Amazon Web Services Inc. or Azure at the location defined in your subscription agreement. Axway has appropriate Data Protection Agreements in place with Amazon Web Services and with Microsoft

CHANGES TO THIS PRODUCT PRIVACY NOTICE

Axway will review and update this Privacy Notice periodically and will note the date of its most recent revision above. If we make material changes to this Privacy Notice, we will notify you either by prominently posting a notice of such changes prior to implementing the changes or by directly sending you a notification. We encourage you to review this Privacy Notice frequently to be informed of how Axway is collecting, using, retaining, protecting, disclosing, and transferring your information.