

Personal Data Privacy Policy

Tomáš Novák, Czech Attorney at Law, ID No. 06792324, Simona Fedorová, Czech Attorney at Law, ID No. 19836368, and Kristián Ženatík, Czech Attorney at Law, ID No. 19836899, collectively forming an association of Attorneys at Law (collectively as the "**Controller**"), as the data controller, hereby informs data subjects, in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of personal data, as amended (hereinafter referred to as "**GDPR**"), about what personal data it processes, to whom such data is disclosed, how it is protected, and what rights individuals, as data subjects, have in relation to their personal data.

The Controller takes the protection of your personal data seriously and processes your personal data in accordance with applicable data protection laws, including GDPR and relevant local legislation (including Act No. 110/2019 Coll. on the Processing of Personal Data and Act No. 127/2005 Coll. on Electronic Communications), as amended.

To provide our services and improve your experience on our website, we will process some personal data. Therefore, we have prepared this privacy policy for you. In this privacy policy, we want to provide you with all the information regarding the processing of your personal data.

1. What personal data is processed?

To provide legal services to our clients as attorneys, we need to obtain some personal data from our clients. Such data typically includes:

- Name and surname;
- Title;
- Date of birth;
- Personal identification number;
- Business ID number;
- Tax ID number;
- Residential or business address;
- Contact address;
- Bank account number and other transaction data;
- Phone number (optional);
- Email address.

For the proper provision of our legal services, we often need additional data, especially information about your employees, business partners, or persons against whom you are asserting claims or who are asserting claims against you.

Generally, we do not process special categories of personal data within the meaning of Article 9 GDPR (e.g., data on racial origin, health status, etc.). However, we may occasionally require or manage such data based on legal regulations or proper contract performance. This includes, for example, defence in criminal proceedings or providing legal services related to non-material damage.

For the proper provision of our legal services, we often need additional data, especially information about your employees, business partners, or persons against whom you are asserting claims or who are asserting claims against you. During the provision of our services, we may also obtain additional data necessary for the proper fulfilment of the mutual relationship. In some cases, we may require special categories of personal data (sensitive personal data), such as in situations where we provide legal services related to non-material damage (especially health-related).

Please note that failure to provide contact details will prevent us from responding to your inquiry. If you use the contact form on our website, it is necessary to fill in all required fields. Alternatively, you can provide the necessary data via email or during a personal meeting.

The Controller's activity does not consist of processing personal data. The Controller does not process sensitive data.

2. For what purpose and to what extent do we process personal data?

We process personal data for the purpose of fulfilling contractual relationships, complying with legal obligations, and protecting our legitimate interests in accordance with Article 6 GDPR. We process personal data primarily for the following purposes:

- Providing legal services;
- Communication with customers;
- Improving our services;
- Advertising and promoting our services;
- Operating and improving our website;
- Fulfilling legal obligations;
- Protecting and asserting the Controller's legal claims.

We process personal data only to the necessary extent and always based on a legal reason. The legal basis for processing personal data may be one or more of the following:

- Contract performance: Processing is necessary for the performance of a contract to which the data subject is a party (e.g., a contract for the provision of legal services) or to take steps at the request of the data subject prior to entering into a contract.
- Legal obligation: Processing is necessary for compliance with a legal obligation to which we are subject.
- Legitimate interests: Processing is necessary for the purposes of the legitimate interests pursued by the Controller or a third party, provided that such interests are not overridden by the interests or fundamental rights and freedoms of the data subject.
- Consent: Processing is based on the data subject's consent.

3. How long do we retain your personal data?

The Controller processes personal data only for the period necessary to fulfil the obligations under the contract or obligations imposed by other applicable legal regulations or for the period specified by the data subject's consent. For the purpose of protecting its legitimate interests, the Controller retains personal data for the duration of the contractual relationship and further for the relevant limitation periods from the termination of the contractual relationship or for the period during which the Controller is legally obliged to retain such information.

4. How do we protect your personal data?

The Controller does not use the provided personal data other than in accordance with GDPR, the relevant contract, this document, and for the purposes specified above.

The Controller may transfer personal data to third countries in the course of providing its services/operating this website with regard to the minimum guarantees set by GDPR for international transfers of personal data outside the EU.

The Controller does not use automated decision-making or other more invasive methods used in the processing of personal data. Personal data is processed manually.

In accordance with Article 32 GDPR, the Controller implements appropriate technical and organizational measures to protect your personal data against loss, misuse, unauthorized access, disclosure, alteration, or destruction.

5. To whom may we disclose your personal data?

The Controller may, to the necessary extent depending on the purpose of processing, use its employees, cooperating persons, and other third parties in the processing of personal data. Such persons may include accountants, tax, legal, commercial, technical, and other advisors, software providers, courier companies, etc.

The Controller takes steps to protect your personal data and will enter into data protection agreements with all processors in accordance with GDPR, and such processing will always be in compliance with GDPR. Any third-party service provider and professional advisors to whom your personal data is disclosed are required to protect the confidentiality and security of your personal data and may use it only in accordance with applicable data protection laws. Any transfer of your personal data to third parties outside the EEA will be based on an adequacy decision or another appropriate transfer mechanism under GDPR.

The Controller may disclose the data subject's personal data to public authorities only if they have a legal reason for access to personal data (e.g., law enforcement authorities, other supervisory authorities with legal authorization for access to personal data – Czech Trade Inspection Authority, Office for Personal Data Protection, etc.), or if it is necessary to protect the Controller's rights (courts, arbitrators).

6. Data subject rights

6.1. Right of access to personal data

If the data subject exercises their right of access to personal data, the Controller will proceed in accordance with Article 15 GDPR and must provide the data subject with confirmation as to whether their personal data is being processed. If their personal data is being processed, the data subject may request information on:

- (a) the purpose of processing;
- (b) the categories of personal data processed;
- (c) the recipients or categories of recipients to whom the personal data will be disclosed;
- (d) the planned retention period of personal data (or the criteria for determining this period);
- (e) information on the existence of the right to request rectification or erasure of personal data, restriction of processing, object to processing, lodge a complaint with the Office for Personal Data Protection;

- (f) information on the source of personal data, if not obtained from the data subject; and
- (g) the fact that automated decision-making is taking place (including the significance and expected consequences of such processing).

6.2. Right to rectification of personal data

If the data subject exercises the right to rectification of personal data, the Controller will proceed in accordance with Article 16 GDPR and the Controller is obliged to correct any inaccurate personal data or complete incomplete personal data.

6.3. Right to erasure and non-use of personal data

If the data subject exercises the right to erasure of personal data, the Controller will proceed in accordance with Article 17 GDPR and the Controller is obliged to erase personal data provided that:

- (a) the personal data is no longer necessary for the purposes for which it was processed (i.e., if there is no longer a legal basis and purpose for processing, the Controller is not obliged to erase the personal data);
- (b) the data subject withdraws consent on which the processing is based and there is no other legal reason for processing;
- (c) the data subject objects to processing and there are no overriding reasons for further processing (in the case of an objection in the context of direct marketing, the obligation to erase personal data always applies);
- (d) the personal data has been processed unlawfully; and
- (e) the personal data must be erased to comply with a legal obligation.

6.4. Right to restriction of processing of personal data

If the data subject exercises the right to restriction of processing, the Controller will proceed in accordance with Article 18 GDPR. In such a case, the personal data may only be stored and may not be processed in any other way without the data subject's consent until the restriction of processing is lifted. The data subject has the right to have the Controller restrict processing in the following cases:

- (a) the data subject contests the accuracy of the personal data, for a period necessary for the Controller to verify the accuracy of the personal data;
- (b) the processing is unlawful and the data subject opposes the erasure of personal data and requests instead the restriction of its use;
- (c) The Controller no longer needs the personal data for processing purposes, but the data subject requires it for the establishment, exercise, or defense of legal claims; and
- (d) The data subject has objected to processing, pending the verification of whether the legitimate grounds of the Controller override those of the data subject

6.5. Right to object

If the data subject exercises the right to object to processing, the Controller will proceed in accordance with Article 21 GDPR. The Controller will no longer process the personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights, and freedoms of the data subject. The right to object does not always

apply, but only in cases of processing based on public interest and the legitimate interest of the Controller. In other cases, the Controller is not obliged to comply with the objection and cease processing the personal data. However, the objection must always be complied with and the personal data must not be further processed in the case of an objection to the processing of personal data for direct marketing purposes.

6.6. Right to lodge a complaint with a supervisory authority

If the data subject believes that their personal data has been processed in violation of legal regulations, they may lodge a complaint with a supervisory authority. In the Czech Republic, the supervisory authority is the Office for Personal Data Protection, located at Pplk. Sochora 27, 170 00 Prague 7, tel: +420 234 665 111, www.uoou.cz.

6.7. Right to data portability

If the data subject exercises the right to data portability, the Controller will proceed in accordance with Article 20 GDPR and will provide the personal data in a structured, commonly used, and machine-readable format to the data subject or directly to another controller designated by the data subject. However, the Controller may not always comply with this right, but only in cases specified in GDPR. These cases include situations where personal data is processed based on consent or for the performance of a contract, and only if the processing is carried out by automated means.

6.8. Right to withdraw consent to the processing of personal data

If the data subject exercises the right to withdraw consent to processing, the Controller is obliged to cease processing unless there is another reason specified in GDPR for further processing. Withdrawal of consent may have legal consequences, including the need to terminate the contract. The necessary information about the consequences is provided in the specific contract.

7. Obligation to update data

The client should inform the Controller of any changes to personal data. The Controller is not responsible for inaccurate personal data provided by the data subject.

If you have any questions regarding the processing and protection of your personal data, please do not hesitate to contact us by email at office@novaklegal.cz.

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