

PRIVACY INFORMATION FOR COMMERCIAL PURPOSES

This information notice is provided by Openapi S.r.l. (hereinafter “Openapi” or “Company”) in its capacity as Data Controller, pursuant to the current legislation on personal data protection and, in particular, the “**Code of Conduct for the Processing of Personal Data for Commercial Information Purposes**” definitively approved by the Italian Data Protection Authority (hereinafter “Authority” or “Garante”) with provision no. 181 of April 29, 2021 (hereinafter “Code of Conduct”). The purpose of this document is to provide all natural persons to whom the personal data described below relate with the necessary information regarding the activities carried out by Openapi as a provider of commercial information services. These activities include, specifically, research, collection, recording, organization, analysis, evaluation, and processing, including automated forms, of information – either provided directly by the data subject or sourced from publicly available or generally accessible sources, as identified below (hereinafter “Permitted Sources”) – concerning the financial, economic, credit, business, industrial, organizational, productive, entrepreneurial, and professional aspects of market operators and natural persons (hereinafter “Surveyed Subjects”), and their subsequent communication to third-party clients (hereinafter “Clients”), enabling Clients to independently assess the economic, financial, and asset conditions, as well as the reliability, solvency, and trustworthiness of the Surveyed Subjects. It is emphasized that the Company provides commercial information services (also referred to as “Business Information”) exclusively upon the issuance of a specific assignment by the Client.

1. SOURCE OF THE PROCESSED PERSONAL DATA

Openapi holds a prefectural authorization (granted pursuant to Article 134 of the “Consolidated Law on Public Safety”), which entitles it to collect and process personal data either provided directly by the data subjects or sourced from specific **Permitted Sources** as defined by the Code of Conduct. These include public registers, lists, archives, public acts, and documents (e.g., those

maintained by Chambers of Commerce or the Revenue Agency), as well as generally accessible information (e.g., from categorized directories, press reports, or publicly available websites).

2. TYPES OF DATA PROCESSED

The personal data collected by Openapi for commercial information purposes pertain to organizational, productive, industrial, commercial, economic, financial, asset-related, administrative, and accounting aspects related to the activities of economic operators (e.g., sole proprietors, family businesses, small entrepreneurs, professionals, relevant company executives) or data on natural persons not engaged in entrepreneurial or professional activities. This includes, for example, data on chamber of commerce records, financial statements, protests, insolvency proceedings, conservatory prejudicial records, real estate and cadastral data, as well as judicial data reported in public or freely accessible sources.

In limited cases strictly outlined by the Code of Conduct, the Company may also process data relating to criminal convictions and offenses under Article 10 of Regulation (EU) 2016/679 (GDPR), derived from public sources or, under certain conditions, generally accessible sources, always in compliance with applicable laws and regulations that define the limits, usability, and publicity of such data, as well as safeguards for the rights and freedoms of the data subjects involved.

However, Openapi does **not** process special categories of personal data (e.g., data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, health information, or sexual orientation), nor information covered by trade or industrial secrecy.

When specifically requested by Clients, Openapi may supplement and enhance data extracted from Permitted Sources with additional commercial information sourced from private entities (other companies or economic operators). Such information pertains to the payment habits of a company or professional in commercial relationships with customers, suppliers, or partners. Clients are

expected to ensure, through their own privacy notices, that data subjects are informed of the potential communication of relevant data to commercial information providers like Openapi, for reliability or solvency verification purposes. These data are typically aggregated for accounting purposes within the Company's systems and informational frameworks.

3. PURPOSES OF THE PROCESSING

3.1 Commercial Information Services

The personal data described above are processed by Openapi to provide commercial information services to Clients upon specific written request. This allows Clients to conduct independent assessments of the economic, financial, and asset conditions of Surveyed Subjects, and consequently, their reliability, solvency, and trustworthiness in ongoing or potential business relationships. The absence of accurate and complete information may hinder such relationships. These evaluations help Clients in areas such as business strategy, identifying new business partners, managing ongoing or pre-contractual relationships, supplying goods or services, defining payment terms, fulfilling legal obligations (e.g., anti-money laundering compliance), fraud prevention, and safeguarding their own rights, including in legal proceedings.

3.2 Statistical Analysis and Scoring

Data acquired for commercial information services may undergo statistical analysis and automated or expert-driven processing to provide assessments – including summaries or scores – of the reliability, solvency, and economic capacity of Surveyed Subjects. This analysis considers financial, economic, and asset conditions, including current and past credits and debts, as well as information about individuals holding significant roles.

Openapi does not adopt any decisions with legal or significant effects on data subjects based solely on automated processing, including profiling. Final decisions are made exclusively by Clients based on all available data, not only the information provided by Openapi.

3.3 Communication to Clients for Marketing Purposes

Openapi may provide Clients with personal data extracted from Permitted Sources, organized into lists (by sector or category), to enable them to independently conduct marketing activities, including calls and communications for commercial, promotional, or advertising purposes, in compliance with applicable laws (e.g., Article 130 of Legislative Decree 196/2003 and regulations governing the Public Opposition Register). Once the data are transmitted, responsibility for promotional activities and their compliance lies solely with the Client.

4. LEGAL BASIS FOR PROCESSING

The processing of personal data for commercial information purposes, including assessments and profiling as described, is necessary to enable Openapi to pursue its legitimate interest in providing commercial information services in accordance with the Code of Conduct and to allow Clients to conduct economic, financial, and asset assessments of Surveyed Subjects. This serves legitimate needs such as fraud prevention, ensuring transaction integrity, and protecting Clients' rights.

Openapi does not make decisions with legal or significant effects on data subjects based solely on automated processing. Thus, Article 22 of the GDPR does not apply to Openapi's activities.

5. PROCESSING METHODS AND SECURITY MEASURES

Commercial information is primarily collected through electronic and telematic tools and verified for accuracy and completeness before being stored in Openapi's databases. These databases are periodically updated and organized using automated systems to provide Clients with data in response to requests.

The data are protected by appropriate confidentiality and security measures to prevent destruction, loss, alteration, or unauthorized access. Processing is carried out only by authorized individuals who have been trained to handle commercial information.

6. WHERE DATA IS PROCESSED

The Company will allow access to data only to individuals properly trained and authorized to perform, as part of their job duties (e.g., employees, collaborators, system administrators, etc.), the necessary processing activities for the provision of commercial information services, in compliance with confidentiality obligations and the Code of Conduct. Data will be shared, as detailed above, exclusively with Clients who request it in their capacity as independent data controllers. Furthermore, data may be made available to service providers supporting Openapi in performing tasks related to commercial information services, as data processors bound by the instructions provided by the Company in specific agreements under Article 28 of the GDPR. It is understood that data may be communicated to the competent authorities when requested or otherwise in compliance with applicable legal obligations. Under no circumstances will data be disseminated.

7. TRANSFERS ABROAD

In the rare cases where Clients requesting commercial information services from the Company are located outside the European Economic Area, Openapi will verify, based on the relevant country, whether the conditions required by current regulations for lawful data transfers exist. Such conditions include, for example, the existence of an adequacy decision adopted by the European Commission, the adoption of adequate safeguards (such as the signing of Standard Contractual Clauses), or the application of specific derogations under Article 49 of the GDPR.

8. DATA RETENTION PERIODS

In accordance with the Code of Conduct, personal data sourced from public sources related to negative events (as detailed in the Code of Conduct), processed as described in this notice, will be retained by Openapi for the provision of commercial information services, within the following time limits:

- a) Information related to bankruptcies or insolvency proceedings may be retained for a period not exceeding 10 years from the date the bankruptcy proceedings are initiated. After this period, the information may only be used by Openapi if new information arises related to another bankruptcy, or a new insolvency proceeding is started involving the recorded Subject or a connected entity, in which case processing may continue for a maximum of 10 years from the initiation of the respective procedures.
- b) Information about prejudicial acts and real estate liens (such as mortgages and garnishments) may be retained for a period not exceeding 10 years from the date of their registration or inscription, unless they are canceled before this time. In the event of cancellation, the annotation of the cancellation will be retained for 2 years. Personal data from the permitted sources may be retained by the Company for the duration they remain accessible or published in such sources, in accordance with the applicable regulatory provisions.

9. RIGHTS OF DATA SUBJECTS

Every data subject has the right to exercise at any time the rights recognized under current legislation, including:

- Access to their personal data to verify if and which data are being processed by Openapi;
- Rectification and/or updating of inaccurate and incomplete personal data;
- Deletion of their personal data, where provided for under Article 17 of the GDPR;

- Limitation – meaning temporary blocking – of processing, where provided for under Article 18 of the GDPR;
- Notification of any rectification, deletion, or limitation requests made by the data subject to any independent controllers to whom the data may have been communicated by Openapi.

Subject to the next paragraph, the data subject can file a complaint with the Data Protection Authority at any time if they believe Openapi's processing for commercial information purposes violates applicable law or the Code of Conduct.

Additionally, the data subject has the right to object to the processing of their data under Article 21 of the GDPR, if they can demonstrate that their interests, rights, and freedoms outweigh Openapi's legitimate interests as described in the previous paragraph 4. Given the context, conditions, and origin of the data, the right to data portability is typically excluded, except where processing is based on contract execution and automated collection of data directly from the subject.

It should be noted that the data subject may always exercise their rights, as long as their request does not concern the rectification or integration of evaluative data processed by Openapi related to judgments, opinions, or other subjective assessments, or indications regarding behavior or decisions to be taken by Openapi. In other words, the rights of the data subject cannot be used to arbitrarily or capriciously modify or delete the evaluations made by the Company in accordance with the Code of Conduct and applicable regulations.

Through a specific section of the website www.informativaprivacyancic.org, the data subject may submit an initial request to Openapi to find out whether their personal data is present in the Company's databases and archives. If the response is positive, the data subject will need to directly contact Openapi using the contact details provided in the next paragraph 11 to exercise their rights.



10. INTERNAL COMPLAINT PROCEDURES

Compliance with the Code of Conduct by Openapi – and by any other providers of commercial information services – is guaranteed by an accredited Monitoring Body (OdM) in accordance with the law. Any data subject who believes their rights or freedoms have been violated by one or more processing activities conducted by Openapi under the Code of Conduct may file a complaint with the OdM by submitting a written report using the model provided by the OdM. The data subject's right to file a complaint with the Authority and/or to initiate judicial proceedings to protect their rights remains intact. However, filing a complaint with the Authority will exclude, by mandatory provision, the initiation or continuation of any proceedings before the OdM on the same issues.

11. CONTACTS

To exercise their rights or for any questions or clarifications regarding the processing described in this notice, the data subject can contact Openapi at any time. The Company's legal office is located at Viale Marinetti 221 – 00143 Rome, tax code and VAT number 12485671007. The Data Protection Officer (DPO) can be reached via email at privacy@openapi.com.