Privacy Policy

Version 1.1 dated April 24th, 2019

Gandi is attentive to the respect of your private life and the protection of personal data. In order to be transparent with its customers, Gandi has adopted a « Privacy Policy », pertaining to personal data collected or processed by Gandi.

Gandi has updated its Privacy Policy in compliance with applicable regulations, especially the Regulation (EU) 2016/679 of 27 April 2016 (GDPR) and French Law n°78-17 of 6 January 1978 as amended pertaining to data protection.

1. WHO IS THE CONTROLLER?

The controller is Gandi insofar as it processes your data for its own account. Its contact details are:

Gandi SAS
63-65 Boulevard Masséna
75013 Paris

For any inquiry, you may get in touch with our Data Protection Officer whose contact details are below at article 7.

Gandi may process your data as a processor for its clients who are Controllers.

This privacy policy only applies to processing carried out by Gandi as a Controller.

2. WHAT DATA ARE COLLECTED?

Depending on cases, Gandi can collect various data, including but not limited to:

- Identification data: name, ID card and its number and/or passport and/or any other relevant identification document or number, nationality, residence permit, place and date of birth, IP address and its localization;
- Contact data: postal and electronic addresses, phone number;
- Data pertaining to interactions between Gandi and its clients: cookies, customer journey, means of payment, mail exchanges, our social media pages;
- Data pertaining to the processing of postal and electronic mail sent to you such as timestamp and date.

3. WHAT IS THE PURPOSE OF THE PROCESSING?

Gandi may process your personal data on the basis of a legal obligation, your consent, a contractual relationship with you, and/or to pursue its legitimate interests.

Gandi collects and processes your personal data for different purposes:

- Communicate with you via postal or electronic mail as part of our provision of service;
- Providing services;
- Combating fraud; when placing an order, Gandi may ask for additional documents in order to prevent the risk of fraudulent orders. In any case, no decision is exclusively based on an automated processing. Each decision is taken by one of our agents, based on information provided by our fraud detection tool. You have the right to express your point of view and to contest the decision.
- Send invites to events, submit Client satisfaction surveys, send newsletter should you elect to receive them;
- Compliance with legal and regulatory obligations;
- Compliance with our contractual obligations with regulatory authorities and registries, notably the transmission of data pertaining to domain contacts to registries (including personal data of such contacts as well as any other information required by a registry), which may be established in a third country without sufficient level of protection regarding personal data;
- Anonymous statistical analysis;
- Should your personal data be processed for different purposes, Gandi will inform you and when required by law will obtain your prior consent.
4. **HOW ARE YOUR DATA COLLECTED?**

Gandi is likely to collect your personal data through:

- Gandi websites (including when creating a client account, buying a service or sending a message to our support team);
- Dedicated website for job application (e.g. Welcome to the jungle or Monster);
- Social networks: on Facebook, Twitter, LinkedIn, you may follow or “like” Gandi’s publications. Such data may be used by these social networks. Gandi invites you to read their Privacy policies in order to understand how they use such data;
- Exchanges with you whether you are a client or prospect;
- Third parties, notably as part of our contractual relationship with our clients or resellers or in the case of incoming domain name transfer from another registrar;
- Other entities from the Gandi Group: in order to provide you with a continuous, around-the-clock technical support Gandi entities share between them certain client information pertaining to services. Gandi entities are not all located in countries with sufficient level of personal data protection. Each entity’s Privacy Policy is the same and protects personal data according to the GDPR;

5. **TRANSFERS OF PERSONAL DATA**

Gandi transfers your personal data outside of the European Union insofar as it is necessary for managing your case, or when the law so provides.

Such is the case as part of the around-the-clock technical support provided by Gandi Group entities or when the registry for a top-level domain is established in a third country.

Data transfers may also occur as part of the aforementioned purposes when third party providers are involved (e.g. recruitment, fraud detection, etc.).

Gandi may also transfer your personal data to third parties if it is required by legal or regulatory provisions or as part of requests by third parties with a legitimate interest (e.g. intellectual property rights enforcement).

6. **PERSONAL DATA RETENTION DURATION**

Personal data are kept in compliance with legal and tax provisions for a duration that shall not exceed that which is necessary for the purposes data were collected and processed for.

7. **YOUR RIGHTS**

You have a right of access, to rectification and erasure, to data portability, and to object to the processing of your personal data.

You may also, at any time, revoke your consent for further processing when such a processing has your consent as a legal basis (e.g.: newsletter subscription, publication of your information in the whois).

For any inquiry regarding your rights or to exercise them, you may contact our Data Protection Officer:

- Via the online form available at: « https://gandi.net/en/my-rights/ »;
- Via email at « dpo@gandi.net »;
- Via postal mail at:

  Délégué à la Protection des Données
  Gandi SAS
  63-65 Boulevard Masséna
  75013 Paris

You have a right to lodge a complaint with a supervisory authority. In France, the supervisory authority is the « Commission Nationale de l’Informatique et des Libertés » (CNIL).

CNIL’s details:

3 place de Fontenoy - TSA 80715
75334 Paris Cedex 07
telephone: +33.1.53.73.22.22
website: https://www.cnil.fr/
8. **COOKIES**

When browsing Gandi Websites, « Cookies » may be used if you have not modified your browser’s settings.

Your web browser has a function called "cookies", that downloads a small text file on your computer when you visit our Sites. It is a piece of information concerning your computer and browser, that is recorded when you visit our website.

The activation of this function is not necessary for visiting our website. Nonetheless, access to some services, notably all that require logging in (such as the administration interface and the management of your domain names, or your personal account) require the use of such "session cookies" in order to function.

Gandi uses two types of cookies:

- Session or settings cookies which are essential to the browsing and proper function of the website,
- Statistics cookies.

Statistics cookies aim to:

- Measure the number of visitors using our services, hence allowing to make services easier to use and making sure they suit the client’s needs;
- Follow how you browse our websites for statistical purposes and allow Gandi to better know its visitors and improve its services. Gandi uses the solution Matomo, configured in compliance with CNIL’s recommendations in order to comply with GDPR;
- Analyze data in order for Gandi to better understand how its services are used in order to improve them.

If you do not want some of these cookies to be used, you may not fully enjoy all the website’s function.

9. **SECURITY**

Gandi takes all useful precautions, as well as appropriate technical and organizational measures in order to preserve your personal data security and prevent their unlawful destruction, loss, alteration, unauthorized disclosure of, or access to by unauthorized third parties.

10. **LINKS TO OTHER WEBSITES**

Gandi websites may offer links to other third-party websites such as Facebook, Twitter, LinkedIn, as well as Registries’ websites.

Gandi does not have any control over the content published on third parties’ websites or over their policies regarding personal data and what they may collect.

Therefore, Gandi cannot be held responsible for these third parties’ processing of your personal data.

11. **COMPETENT COURT AND APPLICABLE LAW**

This Privacy Policy is subject to French law, excluding any International rule of law.

In case of litigation and if an amicable solution cannot be found beforehand, competent courts shall be that under jurisdiction of the Court of Appeal of Paris, France, notwithstanding multiple defendants or third parties claims.

- End of Privacy Policy -