

## **Privacy Shield Notice**

**Effective Date:** February 15, 2019

Weil, Gotshal & Manges LLP (a Limited Liability Partnership incorporated in New York, USA) and associated offices of Weil, Gotshal & Manges LLP practicing under the Weil, Gotshal & Manges name in other jurisdictions, together referred to as “Weil” or “we,” participates in the EU-U.S. Privacy Shield and the Swiss-U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from the European Union (EU), European Economic Area (EEA), and Switzerland to the United States. We have certified that we adhere to the Privacy Shield Principles of notice, choice, onward transfer, security, information integrity, access, redress and enforcement (the “Privacy Shield Principles”). To learn more about the Privacy Shield program, and to view Weil’s certification, please visit <https://www.privacyshield.gov>.

This Privacy Shield Notice applies to personal data transferred from the EU, EEA, and Switzerland to the United States on a Privacy Shield basis and not to data transferred to Weil on any other legal basis. It describes the types of personal information and data (“personal information”) we collect, how we may use that information and with whom we may share it, how we protect your information and your rights in respect of your information. In addition to this Privacy Shield Notice, we may separately provide you with other specific information regarding personal information, its collection and processing, depending on the nature of personal information and its intended use.

With respect to human resources data received from the EU/EEA, Weil commits to cooperate with the EU Data Protection Authorities in conformity with the Supplemental Principles (as set out in the Privacy Shield Framework) on Human Resources Data and the Role of the Data Protection Authorities and will comply with any advice given by such authorities.

### **I. Information We May Collect**

We may collect and process your personal information in the course of our business, in particular when (i) your personal information is provided to us in the course of providing services either to you or to one or more of our clients (as a result of your relationship with one or more of our clients) or when your personal information is provided to us in the course of providing services to us either by you or by our agents and contractors (as a result of your relationship with one or more of our agents or contractors); and/or (ii) your personal information is obtained from other sources including publicly available sources; and/or (iii) when you contact us and/or request information from us or when you use our website. Depending on your relationship with us, we also may collect human resources information from you.

The personal information that we collect and process may typically include your name (including name prefix or title), the business you work for, your title or position in the business, contact information (such as your email address, phone number, postal address), information provided for the purposes of meetings, interviews, recruitment, events and other personal information which you may provide or which may be otherwise provided to us. A description of the information that we collect and process when you use our website and in other situations

described are in our Privacy Policy – Global (<https://www.weil.com/about-weil/privacy-policy>) and Privacy Policy – EU (<https://www.weil.com/about-weil/privacy-policy-eu>).

## **II. Use of Information**

We collect and process your personal information as follows:

a. We use your personal information for the following business interests:

- the provision of legal or other services (including use of personal information of other persons on behalf of our clients);
- the administration of our business (including fulfilling and exercising our legal, regulatory and risk management obligations and rights, exercising or defending legal claims and managing the relationship with you and our clients);
- our human resources function (including for the purposes of recruitment);
- the maintenance of records; and
- marketing and promotion of our services.

b. Where you register with us and provide personal information about yourself or if you provide us with personal information about yourself in other ways, we will use your personal information for the purposes for which it was provided, which may include contacting you and providing you with the information that you have requested from Weil. We may also use your personal information to keep you informed about events, publications and services provided by Weil that may be of interest to you. You can opt out of receiving such direct marketing communications at any time by following the unsubscribe instructions for the particular mode of communication.

c. Information that is provided by your computer when you browse our website is used by Weil solely for internal purposes (such as evaluation of site use, assessment and improvement of site performance and improvement of the functionality and services that we are able to offer) and is not used to target individuals for marketing unless Section II(b) above applies. Moreover, we do not use cookies to collect and distribute personal information to third parties for marketing purposes.

d. We may combine personal information collected from different sources for any of the purposes listed above.

## **III. Disclosure of Information**

a. We may share your personal information among Weil offices. We may also share your personal information with our agents or contractors in connection with services that these individuals or entities perform for Weil. These individuals or entities are not authorized by us to use or disclose this personal information except as necessary to provide services to Weil, or if required to do so under applicable law. We may, for example, provide your personal information to agents or contractors for hosting our databases, for data processing services, for processing

online registration forms for events, or so that they can mail you information you requested. Weil has responsibility for the processing of personal information it receives under the Privacy Shield and subsequently transfers to a third party acting as an agent on its behalf. Weil shall remain responsible and liable under the Privacy Shield Principles if its agent processes such personal information on Weil's behalf in a manner inconsistent with the Privacy Shield Principles, unless Weil proves that it is not responsible for the event giving rise to the damage.

b. We reserve the right to transfer any personal information we have about you in the event we sell or transfer all or a portion of our business or assets. Should such a sale or transfer occur, we will use reasonable efforts to try to require that the transferee use personal information you have provided to us in a manner that is consistent with this Privacy Shield Notice.

c. We may disclose personal information we have about you (i) if we are required to do so by law or pursuant to legal process, (ii) in response to a request from law enforcement authorities or other government officials, including to meet national security requirements, or (iii) when we believe disclosure is reasonably necessary or appropriate to prevent physical harm or financial loss in connection with an investigation of suspected illegal activity.

#### **IV. Your Rights In Respect Of Your Personal Information**

You have the following rights with respect to your personal information:

a. access to a copy of your personal information;

b. objection to processing of your personal information, including objection to processing of your personal information on the grounds that processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party and objection to processing of your personal information for direct marketing (in cases where such personal information is processed for direct marketing purposes);

c. objection to automated decision-making and profiling;

d. restriction of processing of your personal information;

e. your personal information portability;

f. rectification of your personal information;

g. erasure of your personal information; and

h. withdrawal of the consent to the processing of your personal information (if the processing is based on this consent).

In some cases, these rights are subject to conditions and limitations. These rights are in more detail described in the General Data Protection Regulation (Regulation (EU) 2016/679 on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data, and repealing Directive 95/46/EC (General Data Protection Regulation)) and other applicable laws.

If you wish to exercise any of the rights listed above please write to us at [privacy@weil.com](mailto:privacy@weil.com). We will consider each such request in accordance with all applicable data protection laws and regulations. No administration fee will be charged for considering and/or complying with such a request unless the request is deemed to be manifestly unfounded or excessive. If you are unhappy with our response to such a request, please refer to Section VI below.

## **V. How to Contact Us**

If you have any questions or complaints about our Privacy Shield-related (or general privacy-related) practices, please contact us by:

Emailing [privacy@weil.com](mailto:privacy@weil.com) or [European.privacy@weil.com](mailto:European.privacy@weil.com).

or

writing to us at:  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
Attn: General Counsel

or

Weil, Gotshal & Manges LLP  
110 Fetter Lane  
London  
EC4A 1AY

## **VI. Disputes**

We take your privacy concerns seriously. If you believe that Weil has not adhered to this Privacy Shield Notice, please contact Weil as described in Section V above. In your correspondence, please describe in as much detail as possible the ways in which you believe that this Privacy Shield Notice has not been complied with. We will respond to you within the maximum time limit prescribed by applicable law upon receipt of your correspondence and will do our best to address your concerns. If you feel that your complaint has been addressed incompletely, we invite you to let us know for further investigation.

Weil has further committed to refer unresolved privacy complaints under the Privacy Shield Principles to an independent dispute resolution body based in the United States, JAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by Weil, please visit the JAMS website at <https://www.jamsadr.com/eu-us-privacy-shield> for more information and to file a complaint. This independent recourse mechanism by which your complaints and disputes can be investigated and expeditiously resolved will be provided at no cost to you.

You may also report privacy complaints to a local data protection authority. For reference, we set out below the identity of relevant national data protection authorities:

*France:* Commission Nationale de l'Informatique et des Libertés (CNIL), [www.cnil.fr/en/home](http://www.cnil.fr/en/home)

*Frankfurt:* Der Hessische Datenschutzbeauftragte, [www.datenschutz.hessen.de](http://www.datenschutz.hessen.de)

*Munich:* Bavarian Data Protection Authority, <https://www.lda.bayern.de/en/index.html>

*Poland:* the Inspector General for the Protection of Personal Data (Generalny Inspektor Ochrony Danych Osobowych), [www.giodo.gov.pl/en](http://www.giodo.gov.pl/en)

*Switzerland:* Swiss Federal Data Protection and Information Commissioner,

<https://www.edoeb.admin.ch/edoeb/en/home/the-fdpic/links/data-protection---switzerland.html>

*UK:* the Information Commissioner's Office, [www.ico.org.uk](http://www.ico.org.uk)

Under certain conditions, you may have the right to invoke binding arbitration to address any complaint relating to our privacy notice or our personal information practices that has not been resolved by other recourse and enforcement mechanisms in respect of personal information which is transferred from the EU, EEA, or Switzerland to one of our U.S. offices. For additional information, see <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.

## **VII. Verification and Enforcement**

Weil conducts periodic self-assessments to verify that the attestations and assertions it makes about its privacy practices are true and that such privacy practices have been implemented as presented. Weil will take steps to remedy any problems arising out of failure to comply with the Privacy Shield Principles.

The Federal Trade Commission has jurisdiction to investigate claims against Weil regarding possible unfair or deceptive practices and violations of laws or regulations covering privacy.

## **VIII. Updates to Our Privacy Shield Notice**

We may update or change this Privacy Shield Notice. The "Effective Date" at the top of this page states when this Privacy Shield Notice was last revised. Any change to this Privacy Shield Notice will become effective when we post the revised Privacy Shield Notice on our website. Keep in mind that your use of our website means that you accept our Privacy Shield Notice.

If any change may materially and negatively affect the privacy of your personal information, we will use reasonable efforts to notify you in advance and give you a reasonable period of time to object to any changes.

We encourage you to periodically review this Privacy Shield Notice to stay informed about how we collect, use, and share personal information.