

PRIVACY POLICY

Yatta Solutions GmbH (Germany)

1. GENERAL NOTE

Yatta Solutions GmbH, Universitätsplatz 12, 34127 Kassel, Germany (“we”) places high value on data protection and data safety. As a matter of course we comply with the regulations laid down in the German Federal Data Protection Act and in the Telemedia Act. At the same time we strive to provide leading-edge products and services for smart software engineering.

When you use our websites (e.g. www.yatta.de and www.uml-lab.com; together: “Our Websites”) or our products and services, we collect, process and use personal data to the extent specified in the following Privacy Policy. We are the data controller for such collection, processing and use of personal data.

WITHDRAWAL OF CONSENT AND OBJECTION OF THE USE OF DATA

You may withdraw any consent you have given at any time. Also, you may object our use of your e-mail address for advertising or marketing (see section 2.6) at any time. Withdrawal and/or objection should be sent by post to Yatta Solutions GmbH, Universitätsplatz 12, 34127 Kassel, Germany or by email to support@yatta.de or by fax to +49 561 574327788; alternatively you may declare your withdrawal or objection by phone: +49 (0)561 5743277-0. As for the withdrawal of your consent for receiving our Newsletter, please see section 2.6.

Upon receipt of your withdrawal or objection we will cease processing your data unless it is permitted by law.

PDF FORMAT

This Privacy Policy can also be downloaded in PDF format at <http://www.yatta.de/privacy/>.

2. COLLECTION, PROCESSING; TRANSFER AND USE OF YOUR PERSONAL DATA

We are collecting, processing, transferring and using your personal data for

- providing you with Yatta Marketplace;
- providing you with Yatta Profiles;

- your participation in our programs, such as
 - the “Academic Program” or
 - the “Start-up Program”;
- your use of Our Websites;
- advertising/marketing service (e.g. website);
- improvement purposes;
- providing you with our newsletter;
- our use of Google Analytics and Cookies;
- – in case you have purchased software from us on Yatta Marketplace – for verifying user authorization and failure notices; and
- safety reasons

to the extent described hereinafter or permitted by law.

2.1 Providing >Yatta Marketplace<

We provide Yatta Marketplace to enable you to

- sell Solutions as vendor; and/or
- purchase Solutions (see section “Introduction”, sub. section (C) of the Yatta Platform Terms and Conditions of Service) as purchaser. You may purchase Solutions from a vendor or from us via Yatta Marketplace.

The provision of Yatta Marketplace requires that we collect, store, process and transfer your personal data as follows:

2.1.1 Collection of Data

In order to purchase or, if you are a vendor, to sell Solutions on Yatta Marketplace you need to register by creating an account. For the registration

- we will ask you for a user name (which you choose) and your e-mail-address and
- create an account ID for you

hereinafter: “Account Data”.

In addition, we will ask you for the following personal information:

- your first name and surname,
- your postal address and – in case it is different – your billing address, your telephone and telefax number,
- your payment details, i.e. in case you chose payment via credit card: your credit card details; in case you chose payment via PayPal: your PayPal account name; in case you chose payment via direct debit: your bank details (IBAN, BIC, bank name);

hereinafter: “Personal Information”.

In certain cases we may ask you for further information:

- In case you are a vendor or a purchaser for business purposes (i.e. you are not a consumer): your tax number and your VAT-number.

- In case you act on behalf of a company or other organization: the name, postal address, billing address, telephone and telefax number of the company and – optionally – the companies' URL.

Hereinafter: "[Further Information](#)".

During your use of Yatta Marketplace we will collect the following information regarding your transactions:

- the Yatta Marketplace product ID of the Solutions you have sold or purchased on Yatta Marketplace;
- your first name and surname;
- your postal address (street, zip, city, state, country) and – in case it is different – your billing address (street, zip, city, state, country), your telephone and telefax number;
- your payment details, i.e. in case you chose payment via credit card: your credit card details (card holder, card number, expiration date, Card Validation Value (CVV, CVV2, CSC)); in case you chose payment via PayPal: your PayPal account name; in case you chose payment via direct debit: your bank details (IBAN, BIC, bank name);
- the name of your contract partner (i.e. in case you are a vendor, the name(s) of your purchaser(s) and in case you are a purchaser, the name(s) of your vendor(s));
- the date of conclusion of your transaction(s) (purchase or sale) on Yatta Marketplace;
- the price (including applicable taxes and duties), copy of license agreement, payment information (i.e. currency, payment method including unique payment ID) and transaction information (i.e. the transaction ID, transaction validation status "success" or "rejected" and the reference information) to your transaction;
- Your subscription status (if any).

Hereinafter: "[Transaction Data](#)".

2.1.2 Use of Collected Data

We use the Account Data, Personal Information and Further Information for implementing the contractual relationship you have with us and management of your user account within our contractual relationship, as well as for contacting you to the extent necessary for the performance of our contractual relationship.

We will use the Account Data and Transaction Data to execute your transactions on Yatta Marketplace. This means, in case you are a purchaser who purchased a Solution from a vendor, we transfer your Account Data and Transaction Data to the respective vendor so that the vendor can conclude the contract with you and execute the transaction. If you are a vendor who sold a Solution to a purchaser, we transfer your Account Data and Transaction Data to the respective purchaser so that the purchaser can conclude the contract with you and execute the transaction. If you are a purchaser who purchased a Solution from us or if you are using Yatta Marketplace as a vendor, we will use your Account Data and Transaction Data to implement the contract between us regarding each transaction and execute your payments.

We use payment providers for payments from and by vendors and purchasers in order to execute your transaction. We transfer your Account Data and Transaction Data to the payment provider that is obliged to keep your data confidential to the extent necessary.

We only use your aforementioned data to the extent necessary to implement and execute the contractual relationship with you. We will delete your data as soon as you chose to unregister the Yatta Marketplace.

2.2 Provision of >Yatta Profiles<

For the provision of Yatta Profiles we collect and use your data as follows:

2.2.1 Collection of Data

In order to use Yatta Profiles, you need to register by creating an account (see section 2.1.1). To do so, we use your Account Data as described in section 2.1.2.

In addition, you need to create Profiles (see section "Introduction", sub. section (C) of the Yatta Platform Terms and Conditions of Service). For the creation of a Profile we ask for:

- a name and a description of the Profile;
- your Eclipse setup information, i.e. list of the Plug-Ins that you are using and the repositories for such Plug-Ins (update sites);
- your workspace setup information, i.e. a list of SCM Repository URLs and Bugtracker/ALM/Task-Repository URLs; a list of your working sets, i.e. a list of your Profile names and connected projects;
- date of installation and de-installation of your Profiles;
- time of beginning and ending of your use of your Profiles;
- the content of and the links in your Profile(s);
- the configuration settings that you have created in your Profile(s) and
- device data as described in section 2.6.3.

Hereinafter: "[Profile Data](#)".

2.2.2 Use of Collected Data

We use the Account Data for implementing the contractual relationship you have with us and management of your user account within our contractual relationship, as well as for contacting you to the extent necessary for the performance of our contractual relationship.

Since purpose of Yatta Profiles is to give all users of Yatta Profiles access to all Profiles that were created and uploaded or shared ([Public Profiles](#)) on Yatta Profiles or, in particular, on Our Websites, especially on the eHub, we will give the other users of Yatta Profiles access to your shared Profile Data. In case you have chosen your Profile(s) to be public, i.e. by uploading or sharing your Profile, your Profile Data will be accessible for anyone in the Internet, not just Yatta Profiles users. In case you have chosen your Profile(s) to be private, your Profile Data will only be accessible for and be downloaded and used by selected users or user groups you have chosen or shared your Profile(s) with.

We only use your Account Data to the extent necessary to implement and execute the contract with you. We will delete or, if appropriate, block your data as soon as you chose to unregister the Yatta Marketplace. With respect to Profile Data, please make sure that they do not contain any personal data.

2.2.3 Transfer of Data

During the installation of your Profile(s) and your use of Profile(s) your data including usage data may be transferred to the owners of third party Solutions (i.e. software products or plug-ins) included in your Profile(s). You can identify such respective third parties by inspecting the list of included Solutions within the Profile's configuration file and by searching for the respective Solution description within the Yatta Marketplace.

For example, if you are using the source code of GitHub Enterprise-Tool (www.github.com) for the installation of your Profile(s), specific user data that GitHub Enterprise requests, will be transferred to GitHub Enterprise (e.g. device data, user information). When you use Open Source Plug-ins, Solutions or projects, we may transfer anonymized usage data to Open Source developers or project managers.

2.3 Participating in Our Programs

In connection with your participation in our [Academic Program](#) or any other programs allowing you a free (of charge) use of software or any discounts we will collect and store the following data from you:

- for students:
 - the student or faculty number,
 - a confirmation of enrollment or other proof of entitlement,
- for all other individuals:
 - the name, postal address and contact information of the company or organization, as well as the company's or organization's URL and public IP range (if applicable), in case the individual acts on behalf of a company or other organization (i.e. public university);
 - appropriate documents required for legitimation for participation in a specific program (e.g. for university teachers confirmation of enrollment).

The aforementioned data is necessary to verify if you meet all requirements for a participation in our programs and we will use the data for this purpose only.

2.4 Use of Our Websites

We collect certain data when you use Our Websites regardless of your registration:

On visits to Our Websites, we store certain data in so-called "log files". A log file contains the times when you start and cease visiting Our Websites, the quantity of data transmitted, and the subpages you called up on Our Websites. Please note that our log files do not contain any personal data or IP addresses: all data are completely anonymous.

2.5 Google Analytics and Cookies

2.5.1 Google Analytics

On Our Website we use Google Analytics, a web analysis service provided by Google Inc. ("Google"), 1600 Amphitheatre Parkway Mountain View, California 94043, USA.

Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. In order to do so, the Google Analytics cookies generate

information about your use of Our Website and the information is transmitted to and stored by Google on servers in the United States of America (U.S.). Your IP address is part of such information. However, we have activated the IP anonymization for Our Websites. The IP anonymization has the effect that your IP address is shortened within the EU or another country of the European Economic Area before it is transferred to the U.S.; the complete IP address will be sent to the U.S. and shortened there in exceptional cases only.

Within our use of Google Analytics, Google will use this information for the purpose of evaluating your use of Our Websites, compiling reports on Our Websites' activity for us and providing other services relating to Our Websites' activity and internet usage. From the information obtained from Google Analytics, we can learn for another thing how our services are used. We need insights like this in order to be able to offer you a safe, user-friendly Internet service. Google will not associate your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser (please see section 2.5.3 "Control of Cookies").

For more information about Google Analytics cookies:

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

2.5.2 Cookies

As mentioned above, cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently to improve the user experience, as well as to provide certain information to the owners of the site.

In connection with Our Websites, we use cookies ourselves. The cookies we use remain on your computer for differing times. Some expire at the end of each session and some remain for longer so that when you return to Our Website, you will have a better user experience. The purpose and expiry period of the cookies is as follows: We use cookies that

- provide us with your log-in data (i.e. your account ID) so that we can identify you as a registered user – these cookies are permanent;
- send us information about your operating system, the browser and browser version you use – these cookies expire within a year (365 days) after your last session;
- send us the URL click stream (the order in which you visit pages on Our Website) – these cookies expire within a year (365 days) after your last session;
- send us the date and time of your visit to Our Website– these cookies expire within a year (365 days) after your last session; and
- send us each cookie number – this cookie expires within a year (365 days) after your last session.

You may refuse the use of cookies by selecting the appropriate settings on your browser (please see section 2.5.3 "Control of Cookies").

2.5.3 Control of Cookies

You may control the setting of cookies through the browser settings of your computer. Most browsers enable you to block cookies or to block cookies from particular websites. You may also have your browser deleting cookies when you close your browser. Please note, that if you block or delete cookies, you may not be able to use the full functionality of Our Websites or services.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.allaboutcookies.org which includes information on how to manage your settings for the major browser providers.

2.6 Advertising/Marketing, Service Improvements and Newsletter

2.6.1 Advertising/Marketing and Newsletter

Upon your consent, we will use your Account Data, Personal Information, Further Information and Transaction Data (see section 2.1.1) as well as the data as described in section 2.5 for providing you with advertising and marketing material as well as for improving Our Websites, services and products. Also – upon your consent – we use the data that is described in section 2.5 to get your feedback.

We may use your e-mail address to provide you with our Newsletter that includes information and advertising about new products or services. We will only provide you with the Newsletter if you have subscribed to it. You can withdraw your consent for receiving the Newsletter at any time as described in section 1 “Withdrawal of Consent and Objection of the Use of Data” or by mailing your request to unsubscribe@yatta.de or simply by clicking on the link provided at the bottom of each newsletter.

2.6.2 Solution Data

Upon your explicit consent, we may store information and data regarding the Solutions that you have sold or purchased on Yatta Marketplace (i.e. total transaction volume, number of transactions) (“Solution Data”) to use such data and information as well as your Transaction Data (see section 2.1.1) (e.g. prepare statistics and presentations) for marketing and other commercial purposes.

2.6.3 Device Data

Upon your explicit consent, we collect the following data regarding your device for providing and improving our products and services (hereinafter: “Device Data”):

- Unique Device Identification (UDI);
- Information about your operating system;
- Application software you are using (as far as related to our products or services).

2.7 Installed Solutions: User Authorization and Failure Notices

In case you have purchased Solutions and/or use the Yatta Platform software, we will use the data that is described in sections 2.1 to 2.5 to provide software features and functions, software updates, information and technical support requested by you.

In accordance with the license terms that you have accepted prior purchase of Solutions, we will periodically check if you are (still) entitled to use the Solutions via online notices or online notices generated by cookies (see section 2.5.2) that are automatically sent from the software on your computer to us (“Online Verification”). For the Online Verification, we will collect the name and ID of the Solution you have purchased. This information together with your Account Data (see section 2.1.1) is used to execute the Online Verification.

In accordance with the license terms that you have accepted, the Yatta Platform software and Solutions that you have purchased and installed on your computer/device will automatically send failure notices about failure or malfunction of the respective software to us ("[Failure Notice](#)"). For the Failure Notice we collect the following information:

- Technical data that describes the software failure;
- Nature and severity of the software failure;
- Hard- and software information, i.e. version, programming language, Java Version;
- Information regarding the Eclipse Version, Solutions and Plug-Ins that are installed on your computer/device;
- Information regarding the Eclipse configuration including Platform settings (i.e. Profile or workspace settings);
- Model and manufacturer of computer/device;
- Capacity of the main memory of your computer and hard drive;
- The operating system of your computer/device;
- Language and Country settings;
- Browser version;
- Your IP address;
- Log files.

Hereinafter: "[Failure Notice Information](#)".

We will use the Failure Notice Information for helping you with the correction of failures of the software on your request and for assessing the cause of failures of the software you have acquired.

2.8 Safety Reasons

The log files that we collect and store (see section 2.4) are used by us for safety reasons, because they enable us to find out whether Our Websites are being misused and to follow up any specific instances that call for corrective action.

3. TRANSFERRING PERSONAL DATA TO THIRD PARTIES

As a matter of principle your personal data is not transferred to third parties, with the following exceptions:

- (a) if expressly stated in this Privacy Policy;
- (b) if transferring personal data is necessary in order to implement your contractual relationship with us or to assert any claims we may have against you; or
- (c) if we are obliged to do so by law or under a court ruling.

4. YOUR USE OF THIRD PARTY DATA

You agree not to use any information regarding any other participants that is accessible from Yatta Marketplace or Yatta Profiles, except to enter into and complete transactions conducted via the Yatta Marketplace or Yatta Profiles.

You agree not to use any such information for purposes of solicitation, advertising, unsolicited e-mail or spamming, harassment, invasion of privacy or otherwise objectionable conduct.

5. LINKS TO OTHER WEBSITES

Our Websites may contain links to the websites of other providers who are in no way associated with us ([external links](#)). External links are specially marked as such on Our Websites. Once you click on an external link, we no longer have any influence over the processing of any personal data (e.g. your IP address, or the URL containing the link) that is thereby transferred to the third party, because their actions are obviously beyond our control. We therefore cannot and will not assume any liability for the way such personal data is used or processed by third parties.

6. INFORMATION, CORRECTION, ERASURE, BLOCKING

Upon your request (see the contact details below), we will tell you at any time which of your personal data we have stored, the purpose of storage as well as to whom we may have transferred your personal data. You can also request us at any time to block or erase the data. The only data that is not erased is that required for completing outstanding assignments along with any data that we are obliged to retain by law; however, any such data that is excluded from erasure will then be blocked.

CONTACT DETAILS

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D-34127 Kassel
Germany

t +49 561 5743277-0
f +49 561 5743277-88
e support@yatta.de
w <http://www.yatta.de>

7. SAFETY

Both technically and in terms of organization, we take safety measures to ensure that the personal data of our customers and of visitors to our website are protected against loss, incorrect modification, or unauthorized access by third parties. For our part, only authorized persons ever have access to your personal data, and even then only to the extent required for the purposes specified above.

Date: September 9, 2015