

This notice describes how we collect, use and disclose the information we obtain via our website and services. Please review it carefully.

Sungard Availability Services is committed to maintaining your confidence and trust.

Sungard Availability Services (herein “Sungard AS”, “we” or “us”) is committed to maintaining your confidence and trust. We believe it is important that you understand how we collect, store, share, and use information from and about our website visitors, customers, and vendors. This website (the “Site”) and the services available through this Site (the “Services”) are operated by Sungard AS. Sungard AS adheres to this Notice, our [Cookies Policy](#), our [Privacy Shield Notice](#), and other legal notices listed on this site, with respect to our collection, use and disclosure of personal and non-personal data collected through the Site or in the course of our business activities conducted elsewhere when we act as the controller of that data and when its processing is governed by the EU General Data Protection Regulation (GDPR). For purposes of applicable data protection law, Sungard AS is the controller of any personal data collected from you on the Site or otherwise for the purposes of conducting or developing business with you. See the “Data Controller” section below for more information about the data controller of the personal information collected through the Site.

This Notice does not apply to the information collected, stored, shared, or distributed by third-party sites.

Please read this Notice carefully. By visiting the Site, or using any of our Services, you acknowledge the practices described in this Notice, subject to those circumstances where your specific consent is requested. Your use of our Site or Services, and any dispute or claim related to, or about, privacy, is subject to this Notice and our Website Terms of Use found on this Site. If you do not accept this Notice, do not use this Site.

Information We Collect About You

Depending on the circumstances, we may collect and hold a range of different information about you. We may collect this information directly from you as well as automatically through your use of our Site or Services. You can browse many areas of our Site and use many of our Services without registering with us or providing us your name or contact information. However, to access certain Services or content on the Site, we may ask you to register or provide certain information to us; your failure to provide any required information may result in our inability to satisfy your request. In general, we collect information about you as follows:



Information You Provide

- ▶ **Information We Collect Directly.** For you to access certain information, such as whitepapers or similar documents, we collect your name, company name and contact information. We may also ask you for additional information, such as industry. Further, authorized users may be provided log-in credentials in order to access our Customer Portals. To obtain credentials, we may require that you provide your name, email, contact information, company information and other relevant information. If you submit a question or other communication to us, such as via the “Contact Us” page or chat feature of the Site, we will collect your name, email, company name, phone number, country, and any other information you submit as part of your communication. For example, if you submit a “Call Me” request or a “Contact Form” we will ask you to give us enough information to enable us to respond to your request. If you are enquiring on behalf of your company about our products or Services, we will also ask you to provide us with your company’s name and address, and your job title. We may also collect information from you at a trade show or anywhere else where we conduct business. In addition, we may collect information from you if you apply for a job, work placement or internship with us. In this context, please refer to the specific privacy notices made available to you during the recruitment process.

Typically, the personal data you give us may include name, business affiliation, business address, telephone number, email address, and any personal details required to resolve any enquiries or complaints. Where you are applying for a job, work placement or internship, you will be asked to provide certain additional information, for example information about your education, employment history and right to work, pursuant to a specific privacy notice for job candidates.

This information is required to enter into a contract with you (such as an employment contract or a services agreement) or provide services at your request. Failure to provide any information may result in our inability to provide requested services or products or consider your application for employment.

We may also obtain personal data about you from third parties, namely external calling agencies such as PointClear and MySalesBox, data research companies such as DiscoverOrg, event registrations at events where Sungard AS is a sponsor, social media websites such as LinkedIn, online search engines, strategic alliance partners, and published requests for proposals.

- ▶ **Your Activities.** If you access our Customer Portal, we collect information about your activities and actions while you are logged in. If you post any content to our Site – such as a comment to a blog – we collect information about your post (and the post will be viewable to other visitors to the Site), as well as your name and contact information if you have provided it. We may also ask you to participate in surveys or similar questionnaires; your participation is voluntary. However, if you choose to participate, we will collect information about your responses, as well as your name, contact information and other information you provide to us. Your choice not to participate in this activity will not prohibit you from using other features on our Site.
- ▶ **Information We Collect Automatically.** When you visit our Site, our server automatically collects certain browser or device generated information, which may in some cases constitute personal data. While using our site, we automatically track certain information about you, via log files, cookies, pixel tags and other technologies. This information includes the URL of the web page that you just came from (whether the URL is on our site or not), which URL you go to next (whether the URL is on our site or not), what browser you are using, your IP address, the number of times you visited Sungard AS’ website, which pages you visited and what materials, if any, you downloaded, your IP address, and location information. Please see the section “**Cookies and Other Tracking Mechanisms**” below for more information. We do not use this automatically collected information to try to identify you by name, and we do not associate it with the information you provide voluntarily, as detailed below.

Cookies and Tracking

We use cookies, web beacons and other technologies to collect information about visits to our Site, to help us provide better services. We keep track of the domains from which people visit our Site and measure visitor activity



on our Site. We use the information to analyse visits to our Sites so that we may measure the traffic through our servers, the level of interest in topics, and make our Sites and Services more useful to visitors.

A cookie is an element of text that is sent to your computer and identifies your computer. If you continue to use our Site, you agree to our use of cookies. For more information about the cookies we use, and your choices regarding out use of cookies, please view our [Cookies Notice page](#).

Use of Personal Data We Collect

The following is an overview of our purposes for using your personal data. Additional details on how we process your personal data may be provided to you in a separate notice or contract.

All processing (i.e. use) of your personal data is justified by a “condition” for processing. In most cases, the processing will be justified on the basis that:

- ▶ the processing is necessary to perform a contract with you or take steps to enter into a contract at your request;
- ▶ the processing is necessary for us to comply with a relevant legal obligation;
- ▶ the processing is in our legitimate interests, subject to your interests and fundamental rights, and notably our legitimate interest in using supplier, customer and Website user data to conduct and develop our business activities with them and with others; or
- ▶ you have consented to the processing.

We use the personal data we collect to:

- ▶ Respond to your enquiry;
- ▶ Provide you with the information or products you have requested and to otherwise fulfil your requests. For example, if you submit your name, phone number and contact information to us in order to receive more information from us, we may call or email you to follow up on your enquiry;
- ▶ Provide our Services to you, to communicate with you about your use of our Site and Services, and for other customer service purposes;
- ▶ Better understand how users access and use our Site and Services, both on an aggregated and individualized basis, to improve our Site, Services and business, to respond to user desires and preferences, and for other research and analytical purposes;
- ▶ Support and manage a recruitment, work placement or internship process, including considering application and making offers;
- ▶ Protect and ensure safety of the Site, Sungard AS confidential and proprietary information, and Sungard AS employees; and
- ▶ If authorized by applicable laws or where you have agreed to receive additional communications from us, we and our Sungard affiliates may send you emails and other communications to inform you about products or services that may be of interest to you, and for other marketing and promotional purposes, where it is lawful for us to do so.

Information from cookies is used as described above.

We take reasonable care regarding the sensitivity of the data and the risks of the processing activities, to keep any information provided to us secure and to prevent any unauthorised access, alteration, damage, or use.



Disclosure of Personal Data We Collect

Your information is not sold to or shared with unaffiliated third parties for their independent marketing purposes. However, we may disclose certain information to certain third parties, for the reasons explained in this section:

- ▶ **Service Providers.** Sungard AS may hire other companies to provide services on our behalf, including packaging, mailing and delivering purchases, answering customer questions about products or services, sending mail and processing event registration. We may disclose the information we collect from you to third party vendors, service providers, contractors or agents who perform functions on our behalf.
- ▶ **Business Partners.** Sungard AS may provide the information we collect via our Site to third-party business partners in delivering webinars on topics relevant to Sungard AS' services.
- ▶ **Affiliates.** Sungard AS may disclose the information we collect from you to our affiliates or subsidiaries (including any company that controls, is controlled by or is under common control with us); however, if we do so, their use and disclosure of your personally identifiable information will be subject to this Notice.
- ▶ **In Response to Legal Process.** Sungard AS may disclose the information we collect from you, to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.
- ▶ **Business Transfers.** If we are acquired by, merge with, or enter a joint venture with another company, or if all or substantially all our assets are transferred to another company, or as part of a bankruptcy, we may transfer the information we have collected from you to the new or acquiring company.
- ▶ **To Protect Us and Others.** Sungard AS may disclose the information we collect from you to law enforcement officials, courts and other third parties, where we believe it is reasonably necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Use or this Notice, or, to the extent permissible by applicable law, as evidence in litigation in which Sungard AS is involved.
- ▶ **Aggregate and De-Identified Information.** Sungard AS may share aggregate and de-identified information about users with third parties for marketing, advertising, research or similar purposes.

Sungard AS reserves the right to share any information that you provide which is not deemed personal data or is not otherwise subject to contractual restrictions.

Children

The Site is not for use by children under the age of 16 years and Sungard AS does not knowingly collect, store, share or use the personal data of children under 16 years. If you are under the age of 16 years, please do not provide any personal data, even if prompted by the Site to do so. If you are under the age of 16 years and you have provided personal data, please ask your parent(s) or guardian(s) to notify Sungard AS and Sungard AS will delete all such personal data.

Retention of Personal Data

Sungard AS applies a general rule of keeping personal data only for as long as required to fulfil the purposes for which it was collected. However, in some circumstances, we may retain personal data for other periods of time, for instance where we are required to do so in accordance with legal, tax and accounting requirements, or if required to do so by a legal process, legal authority, or other governmental entity having authority to make the request, for so long as required.



In specific circumstances, we may also retain your personal data for longer periods of time corresponding to a statute of limitation so that we have an accurate record of your dealings with us in the event of any complaint or challenges.

User Generated Content

As noted, we may invite you to post content on our Site or Services, including your comments, reviews, pictures, and other information. If you post such content, all information that you post will be available to other users of our Site and Services. Your posting may become public and Sungard AS cannot prevent such information from being used by third parties in a manner that may violate this Notice, the law, or your personal privacy. If you would like to have your comments or other content removed from the Site, please contact us as set forth in the “**Contact Us**” section below.

Communications from Us

We and our affiliates may send you emails and other marketing communications about products, services or other information we think may be of interest to you, where permitted under applicable law. You may opt out of these emails at any time by sending an email from the email address you wish to unsubscribe and following the instructions contained in any of our marketing emails. You may also opt out of other marketing communications at any time by contacting us as set forth in the “**Contact Us**” section below and requesting to opt out.

Cross-Border Transfer

All information that we collect from you may be transferred to, processed in, and stored in, jurisdictions outside the European Economic Area (“EEA”) and India, including the United States and other jurisdictions, where it may be processed by staff who work for us, our affiliates, or our suppliers. These jurisdictions in which your information may be processed, may not have an equivalent level of data protection laws as those in your jurisdiction. If your personal data is transferred outside the EEA to other Sungard AS group companies or to third party service providers, Sungard AS will take steps to ensure that your personal data receives the same level of protection as if it remained within the EEA. Such steps include entering into data transfer agreements, using the European Commission approved Standard Contractual Clauses, or relying on certification schemes such as the EU – US or Swiss – US Privacy Shield. For transfer to Sungard AS in the US, we rely on the EU – US and Swiss – US Privacy Shield Frameworks, which benefit from adequacy decisions issued by the European Commission.

For more information on Sungard AS’ adherence to the EU – US and Swiss – US Privacy Shield Frameworks, please see our [Privacy Shield Notice](#). For other transfers within the Sungard AS group, we have put in place European Commission approved Standard Contractual Clauses, which protect personal data transferred between Sungard AS entities. You have the right to obtain details of the mechanism under which your personal data is transferred outside of the EU by contacting infoavail@sungardas.com.

Security

Sungard AS aims to safeguard and protect your personal data from unauthorized access, improper use or disclosure, unauthorized modification or unlawful destruction or accidental loss. Sungard AS utilizes and maintains certain reasonable processes, systems, and technologies to do so. However, you acknowledge that no transmission over the Internet is completely secure or error-free, and that these processes, systems, and technologies utilized and maintained by Sungard AS are subject to compromise. Accordingly, Sungard AS cannot be held responsible for unauthorized or unintended access that is beyond our control.

Automated Decision-Making and Profiling

We may engage in the processing of your personal data to make automated decisions about whether to include a prospective customer in a marketing campaign. In this limited circumstance, we use lead scoring to rank prospective customers against perceived values. The logic behind the perceived values could be based on certain



attributes such as location, company size, or job title; or previous level of interaction through the Site or at an event. This processing could produce legal effects that concern you or similarly significantly affect you, and is specifically used in prospect segmentation for identifying targets of specific marketing campaigns. This segmentation may also be used as part of email nurture streams, whereby an email is sent to a prospective customer and based on the prospective customer's response or lack of response, the prospective customer is contacted again or placed in a queue for later communications.

Please see the “**Communications from Us**” section for additional detail on marketing communications.

External Links

This Site may contain links to third party sites. Since Sungard AS neither controls nor is responsible for the privacy practices of those websites, we encourage you to review the privacy policies of such third-party sites. This Notice applies solely to personal data collected by our websites or in the course of our business activities.

Your Rights

Sungard AS will take steps in accordance with applicable legislation to keep your personal data accurate, complete and up-to-date. You are entitled to have any inadequate, incomplete or incorrect personal data corrected (that is, rectified).

You also have the right to request access to your personal data and additional information about the processing.

In the event your personal data is processed based on your consent, you have the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal.

Further, you are entitled to have your personal data erased, under certain circumstances.

As from 25 May 2018, EU residents also have the following additional rights:

- ▶ ***Data Portability*** - Where Sungard AS is relying (as the legal basis for processing) upon your consent, or the fact that the processing is necessary to perform a contract to which you are party or to take steps at your request prior to entering a contract, and the personal data is processed by automatic means, you have the right to receive all such personal data which you have provided Sungard AS in a structured, commonly used and machine-readable format, and also to require us to transmit it to another controller where this is technically feasible.
- ▶ ***Right to Erasure*** - You are entitled to have your personal data erased under specific circumstances, such as where you have withdrawn your consent, where you object to processing based on legitimate interests and we have no overriding legitimate grounds (see below) or where personal data is unlawfully processed.
- ▶ ***Right to Restriction of Processing*** - You have the right to restrict our processing of your personal data (that is, allow only its storage) where:
 - you contest the accuracy of the personal data, until we have taken sufficient steps to correct or verify its accuracy;
 - where the processing is unlawful, but you do not want us to erase the personal data;
 - where we no longer need your personal data for the purposes of the processing, but you require such personal data for the establishment, exercise or defense of legal claims; or
 - where you have objected to processing justified on legitimate interest grounds (see below), pending verification as to whether we have compelling legitimate grounds to continue processing.



Where your personal data is subject to restriction Sungard AS will only process it with your consent or for the establishment, exercise or defense of legal claims.

- ▶ *Right to Object to Processing (including profiling) Based on Legitimate Interest Grounds* - Where Sungard AS is relying upon legitimate interests to process personal data, you have the right to object to that processing. If you object, Sungard AS must stop that processing unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or we need to process the personal data for the establishment, exercise or defence of legal claims. Where Sungard AS relies upon legitimate interest as a basis for processing we believe that we can demonstrate such compelling legitimate grounds, but we will consider each case on an individual basis.
- ▶ *Right to Object to Direct Marketing (including profiling)* - You have the right to object to our use of your personal data (including profiling) for direct marketing purposes, such as when we use your personal data to invite you to our promotional events.

You also have the right to lodge a complaint with the supervisory authority of your habitual residence, place of work or place of alleged infringement, if you consider that the processing of your personal data infringes applicable law. A list of data protection supervisory authorities is available here: http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080

Please contact us if you wish to exercise any of your rights, or if you have any enquiries or complaints regarding the processing of your personal data. You may send your request or enquiry to Sungard Availability Services, Marketing Department, Heathrow Corporate Park, Green Lane, Hounslow, Middlesex, TW4 6ER or by e-mail to: infoavail@sungardas.com. We may require you to provide verification of your identity and to pay a reasonable fee (to the extent permitted by law) for a copy of the personal data that we hold. Please note that in certain circumstances we may withhold access to your personal data where we have the right to do so under current data protection legislation, for example, where disclosing such data may reveal the identity of a third party.

Updating your Information

In the event there is a change to any information that you provide to us, you are responsible for notifying us of this change. You may do this by writing Sungard Availability Services, Marketing Department, Heathrow Corporate Park, Green Lane, Hounslow, Middlesex, TW4 6ER or by e-mailing infoavail@sungardas.com; and providing a clear explanation of the information you would like to update. You may ask us to make changes to the information held about you at any time to ensure that it is accurate and up to date.

Changes to this Privacy Notice

We may change this Notice from time to time and the updated Notice will apply to all your information held by us at the time. If we make material changes to this Notice, we will put a notice on our home page. If we still have your email on file, as described in the “**Communications from Us**” section, we will notify you in advance of any changes to this Notice that are material or may impact you.

Contact Us

If you have any queries about this Notice, would like to access or update your information, opt-out of marketing communications from us, or contact us about this Notice or our privacy practices, you may do so by submitting your request in writing to us at the following address: Sungard Availability Services, Marketing Department, Heathrow Corporate Park, Green Lane, Hounslow, Middlesex, TW4 6ER or by e-mail to: infoavail@sungardas.com.



Data Controller Information

The data controllers for the personal data collected by Sungard through EU and India Sites are as follows:

- ▶ <http://www.sungardas.com/be/> (Belgium) – Sungard Availability Services (Belgium) NV [De Kleetlaan 12b 1831 Diegem Belgium.
- ▶ <http://www.sungardas.com/fr/> (France) – Sungard Availability Services (France) S.A 93, cours des Petites Ecuries, 77185 Lognes, France.
- ▶ <http://www.sungardas.com/en-in/> (India) – Sungard Availability Services (India) Private Limited 2nd Floor, Wing 4, Cluster D, MIDC Kharadi Knowledge Park, Pune-411014, India.
- ▶ <http://www.sungardas.com/en-IE/> (Ireland) – Sungard Availability Services (Ireland) Limited Unit 5 Beckett Way Park, West Business Park, Nangor Road, Dublin 12, Ireland.
- ▶ <http://www.sungardas.com/lu/> (Luxembourg) – Sungard Availability Services (Luxembourg) SA 6, Parc Syrdall, L-5365 Münsbach, Luxembourg.
- ▶ <http://www.sungardas.com/sv/> (Sweden) – Sungard Availability Services (Nordic) AB Sandhamnsgatan 63, Box 27 157, 102 52 Stockholm.
- ▶ <http://www.sungardas.com/en-GB/> (UK) – Sungard Availability Services (UK) Limited (company number: 02368123), with registered office at Heathrow Corporate Park, Green Lane, Hounslow, Middlesex, TW4 6ER.

Other related documents

[Cookies Notice](#)

[Privacy Shield Notice](#)

About Sungard Availability Services

Sungard Availability Services provides managed IT services, information availability consulting services, business continuity management software, and disaster recovery services.

To learn more, visit www.sungardas.com or call 1-888-270-3657

Trademark information

Sungard Availability Services is a trademark of SunGard Data Systems Inc. or its affiliate used under license. The Sungard Availability Services logo by itself and Recover2Cloud are trademarks of Sungard Availability Services Capital, Inc. or its affiliate. All other trade names are trademarks or registered trademarks of their respective holders.

Connect with Us

