



OneSpan

The Digital Agreements Security Company

## ONESPAN INC. GLOBAL BIOMETRICS PRIVACY NOTICE

### **1. INTRODUCTION TO THIS GLOBAL BIOMETRICS PRIVACY NOTICE**

The protection of Biometrics Personal Data is important to OneSpan Inc. and its affiliated entities worldwide. OneSpan respects individual privacy and the protection of Personal Data and values the confidence of our customers, job applicants, employees, suppliers, contractors, business partners, and the public. That is why we strive to process Biometrics Personal Data in a manner consistent with the laws of the countries in which we do business, and to protect it against loss, leaks, errors, unauthorized access or unlawful processing.

### **2. KEY TERMS USED IN THIS NOTICE**

**"Applicable Data Protection Laws"** means Data Protection Laws that apply in a particular jurisdiction and/or to a particular type of data or use of data.

**"Biometric Personal Data"** means Personal Data of End Users that is processed by OneSpan on behalf of a Customer and contains biometric identifiers and/or biometric information, including: identity documents, including passports and identity cards with the information printed thereon; physical and behavioral attributes, such as facial features, voice patterns, fingerprints, palm prints, finger and palm vein patterns, structures of the eye (iris or retina) or gait; and images, recordings of the sound of the voice or recordings of facial features. Biometric Personal Data also includes biometric templates, which are mathematical representations of features or characteristics from a facial image or recording. Unlike most other types of Personal Data, Biometric Personal Data is distinctive, stable over time, difficult to change and largely unique to the individual.

**"Biometrics Services"** means OneSpan's Software as a Service (SaaS) offering which executes identity document verification or identity verification of End Users on behalf of OneSpan Customers based on Biometric Personal Data, either as a stand-alone SaaS product or included as a service in other OneSpan SaaS products.

**"Customer"** means any person or entity who enters into a contract with OneSpan to access or use Biometrics Services.

**"Data Protection Laws"** means 1) the U.S. Data Protection Laws, 2) the GDPR and the laws of non-EU EEA countries that have formally adopted the GDPR, 3) Brazil's Lei Geral de Proteção de Dados Pessoais or 4) any other data protection laws applicable to OneSpan's processing of Personal Data.

**"EEA"** means the European Economic Area.

“**EU**” means the European Union.

“**End User**” means any person who accesses Biometrics Services as an end user via a Customer (for example, a customer or prospective customer of a bank that contracts with OneSpan to use Biometrics Services).

“**GDPR**” means the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons regarding the processing of Personal Data and on the free movement of such data (General Data Protection Regulation).

“**Notice**” means this Global Biometrics Privacy Notice.

“**OneSpan**”, “we”, “us”, or “our” means OneSpan Inc. and its affiliated entities worldwide.

“**Personal Data**” means personal information and personally identifiable information, as such information may be defined under Applicable Data Protection Laws.

“**Privacy Center**” means the OneSpan website available at <https://www.onespan.com/privacy-center> or an equivalent successor OneSpan website.

“**U.S. Data Protection Laws**” means all laws and regulations of the United States of America, including the California Consumer Privacy Act (CCPA), applicable to the processing of Personal Data.

### **3. WHAT'S IN SCOPE OF THIS NOTICE**

This Notice applies where OneSpan acts as a “processor”, processing Personal Data of End Users on behalf of our Customers who determine the purposes and means of the processing of Personal Data.

More specifically, this Notice describes the data privacy and protection practices of OneSpan as a processor in the collection, processing, use, storage, transfer, and disclosure of Biometric Personal Data. It explains how we collect, use, disclose, and protect Biometric Personal Data in our Biometrics Services. Please read this Notice carefully to understand our practices regarding Biometric Personal Data with respect to our Biometrics Services solution and your rights in relation to it.

This Notice applies to the extent applicable and not prohibited in your jurisdiction. OneSpan conducts business globally and may reference regulations in this Notice that may not be applicable to your particular use or jurisdiction.

Please read this Notice and the documentation regarding Biometrics Services available at the Privacy Center, in particular the OneSpan Corporate Privacy Statement, the OneSpan Product Privacy Statement and the list of sub-processors for Biometrics Services published in the [Privacy Center](#), which form an integral part of this Notice.

If you disagree with OneSpan’s privacy practices, please do not access or use Biometrics Services and do not transfer Biometric Personal Data to OneSpan. By

accessing or otherwise using Biometrics Services, you indicate that you have read this Notice and consent to its terms, unless such form of consent is prohibited in your jurisdiction.

You are not obliged to disclose your Biometric Personal Data, but you understand that the provision of Biometrics Services becomes impossible if you do not consent to its collection and processing.

We kindly point out to you that you are responsible for all Biometric Personal Data you provide to us and that we rely on its accuracy. If the provided Biometric Personal Data is no longer up to date, please inform us immediately.

This Notice was last updated on the date set forth below. We may update this Notice from time to time to reflect changes to OneSpan's processing of Biometric Personal Data. We encourage you to review the Notice on a regular basis and whenever you elect to provide personal information to OneSpan by visiting the Privacy Center. You will be notified of material revisions to this Notice electronically or by other means that OneSpan deems reasonably sufficient to reach your attention, such as a prominent post on our website or the OneSpan Privacy Center.

#### **4. FROM WHOM AND WHAT PERSONAL DATA DOES ONESPAN PROCESS?**

This Notice applies to Biometric Personal Data of End Users of our Biometrics Services. These End Users are individuals who agree to have their identity verified by a OneSpan Customer (such as a bank or other financial institution) in the context of a Customer's onboarding, document signature or other identity verification process. The OneSpan Customer uses the Biometrics Services to verify the identity of the End User. The End User is asked by the OneSpan Customer to agree to and perform uploading of certain Personal Data for identify verification purposes, including certain Biometric Personal Data.

OneSpan may collect and process the following types of regular Personal Data relating to the End User in connection with a Customer's use of our Biometrics Services:

- Identification data such as full name.
- Address.
- Information on identity documentation presented to the system, such as an identity card, passport, driver's license or other accepted identification document.
- E-mail addresses are used to go through the identity verification process.
- Telephone numbers are used to go through the identity verification process.

OneSpan may also collect and process Biometric Personal Data relating to End Users in connection with a Customer's use of our Biometrics Services, including the following:

- Biometric identifiers are contained in recordings, selfies, pictures and biometric templates.
- Recordings: Facial images and images of the End User's appearance, movements and liveliness.

- Selfies: Facial images captured for identity verification purposes.
- Pictures: Images of official identification documents, such as passports or driver's licenses.
- Biometric templates: Mathematical representations of features or characteristics from a facial image or recording.
- Certain metadata as explained in section 5 below.

Biometric Personal Data is compared by algorithms. To perform this comparison (matching), it is stored in the form of biometric templates. In the enrollment process, the source data is collected, the biometric template is created, and then stored in a database as reference data. Matching is performed by capturing probe data, converting it into a biometric template in the same format as the reference biometric template, and then comparing the two biometric templates for verification or identification.

Biometric Personal Data or other Personal Data that prospective customers or Customers elect to submit to use for a product demonstration, testing, proof of concept or other agreed purposes may be processed for demonstrations or trials. Biometric Personal Data and other Personal Data submitted for these purposes will only be used for demonstration, testing, proof of concept or other purposes agreed up front and in writing with you. The Biometric Personal Data and other Personal data provided will be erased after the conclusion of the product demonstration, testing, proof of concept or other agreed purposes.

## **5. HOW DOES ONESPAN USE THE PERSONAL DATA?**

Upon instruction and on behalf of the Customer, OneSpan will access, process, and store the End User's Biometric Personal Data for the purpose of providing the Biometrics Services. These Biometrics Services are used for verification of authenticity of the End User's identity, fraud prevention, and/or long-term proof of inspection of the End User's provided form of identification.

OneSpan Customers typically use Biometrics Services to fulfill their legal and regulatory obligations related to identity verification and fraud prevention.

Metadata related to the above types of Biometric Personal Data are used as follows:

- Timestamps are used to log the time and date when the Biometric Personal Data was collected.
- Device Information provides information about the device used for the data collection, like the brand or model of a fingerprint scanner or camera.

OneSpan will not sell, lease, trade, or otherwise profit from the Biometric Personal Data processed on behalf of the Customer.

## **6. WHAT IS THE LEGAL BASIS FOR PROCESSING?**

Our processing of Biometric Personal Data of End Users is based on the instruction given by the Customer, which is responsible for obtaining the consent of the End User.

Biometric Personal Data are processed on behalf of the Customer, who acts upon the request of the End User only and is responsible for obtaining the End User's explicit informed consent prior to the collection and processing of Biometric Personal Data.

The Customer is responsible for ensuring that the consent given by the End User to the Customer extends to the transfer of the Biometric Personal Data to OneSpan as well as to further processing of the Biometric Personal Data for identity verification or identity document verification purposes only (including OneSpan's return of proof of identity verification to the applicable OneSpan Customer).

## **7. HOW WE SHARE BIOMETRIC PERSONAL DATA FOR BUSINESS PURPOSES**

We may share or disclose Biometric Personal Data with sub-processors agreed to by our Customers in their contracts with us. These sub-processors are third-party service providers that assist us in the provision of our services, and they may process Biometric Personal Data on our behalf.

The list of sub-processors for our Biometrics Services solution, which forms an integral part of this Notice, is available at the [Privacy Center](#).

We may disclose Biometric Personal Data if required by law, regulation, legal process, or governmental request. In the event of a merger, acquisition, sale of substantially all our assets, or other corporate transaction, Biometric Personal Data may be transferred as part of the assets involved.

## **8. HOW LONG DO WE KEEP BIOMETRIC PERSONAL DATA?**

OneSpan retains Biometric Personal Data only for as long as necessary to fulfill the purposes outlined in this Notice or as required by applicable laws and regulations (for instance, minimum or maximum retention periods required by law). If there is an indication of fraud, we will keep related Biometric Personal Data for as long as necessary to resolve the situation. After that, we will permanently delete the Biometric Personal Data. To that end, we have implemented the following data retention practices to ensure that Biometric Personal Data is securely deleted or anonymized when no longer needed.

OneSpan's Customer, the controller of the Biometrics Data, who received the proof of identity verification along with the biometric template of the End User will delete the Biometric Personal Data as per the Customer's own deletion policies, for which the Customer is solely and entirely responsible.

## **9. INTERNATIONAL TRANSFER OF BIOMETRIC PERSONAL DATA**

We may transfer Biometric Personal Data to countries outside of the jurisdiction of the End User for the purposes outlined in this Notice. The list of sub-processors for our Biometrics Services solution, which forms an integral part of this Notice, contains the jurisdictions in which Biometric Personal Data may be processed and/or stored. This list can be found in the [Privacy Center](#).

We will ensure that any such international transfers comply with applicable data protection laws, including implementing appropriate safeguards, such as Standard

Contractual Clauses included in our Data Processing Addendum to be found in the [Privacy Center](#).

## **10. HOW IS BIOMETRIC PERSONAL DATA SECURED?**

We maintain appropriate technical and organizational measures to protect Biometric Personal Data against unauthorized access, loss, or alteration. These measures include encryption, access controls, regular audits, and employee training on data protection and security.

Information about technical and organizational measures are included in our Data Processing Addendum to be found in the [Privacy Center](#). Information security information can also be found in the [Privacy Center](#).

## **11. YOUR RIGHTS**

Individuals whose Biometric Personal Data is processed, may have certain rights under Applicable Data Protection Laws, which may include:

- Right to Access: You can request access to the Biometric Personal Data we hold about you.
- Right to Rectification: You have the right to request the correction of inaccurate or incomplete Biometric Personal Data.
- Right to Erasure: You can request the deletion of your Biometric Personal Data under certain circumstances.
- Right to Restrict Processing: You have the right to request the limitation of processing your Biometric Personal Data.
- Right to Data Portability: You can request the transfer of your Biometric Personal Data to another controller.
- Right to Object: You have the right to object to the processing of your Biometric Personal Data on grounds relating to your particular situation.
- Right to Withdraw Consent: If processing is based on your consent, you have the right to withdraw your consent at any time.

To exercise your rights or seek further information about our data processing activities, please contact us using the contact details in Section 12, "Contacting OneSpan".

## **12. CONTACTING ONESPAN**

We make every effort to handle your Personal Data in a careful and legitimate manner in accordance with the applicable regulations. Nevertheless, if you believe that your rights have been violated and if you do not find an answer to your concerns with OneSpan, you are free to contact the Belgian Data Protection Authority:

Address: Drukpersstraat 35, 1000 Brussels, Belgium

Tel.: 02 274 48 00

Fax.: 02 274 48 35

E-mail: [contact@apd-gba.be](mailto:contact@apd-gba.be)

Another appropriate supervisory authority may be competent to handle a complaint regarding a purported violation of a GDPR provision by OneSpan if the subject matter relates solely to a OneSpan entity in that member state or substantially affects data subjects only in that member state.

If you believe that Personal Data has been used in a way inconsistent with this Notice, or if you have further questions, comments or suggestions related to OneSpan's handling of Personal Data, please contact OneSpan by emailing [privacy@onespan.com](mailto:privacy@onespan.com).

For data subjects located in the EU/EEA or another jurisdiction requiring a Data Protection officer, written inquiries to the OneSpan EU Data Protection Officer may be emailed to [Privacy@onespan.com](mailto:Privacy@onespan.com) or addressed to:

Data Protection Officer OneSpan NV  
Romeinsesteenweg 564 C  
Strombeek-Bever, 1853, Belgium

For data subjects located outside of the EU/EEA, written inquiries to the OneSpan EU Data Protection Officer may also be addressed to:

OneSpan North America, Inc.  
Legal Department  
121 West Wacker, Ste 2050  
Chicago, IL 60601