

Leadinfo B.V.
Rivium Quadrant 141
2909 LC Capelle aan den IJssel

Date: 4 May 2018
Subject: Leadinfo GDPR compliance service

Dear Mr Kleppe,

Recently, you requested that our office assess the service you provide in light of the new European General Data Protection Regulation (GDPR).

In brief, the service you provide, called Leadinfo, entails your clients adding code to their website, which sends the IP address of visitors to your server. In public databases, you subsequently seek the registered holder of this IP address, and then track down the holder in question in business registers like the one maintained by the Chamber of Commerce. You then create an overview of the result, allowing your clients to see which businesses are visiting their website.

During this process, personal data may be processed, in particular names of independent entrepreneurs (e.g. self-employed persons, i.e. *zzp'ers* in Dutch) who have been included in the business registers. You also use a visitor's IP address, which is considered personal data in a context like this.

According to the GDPR, this working method is legal. Your client is receiving the IP address in the framework of a website visit. Your client has a legitimate personal interest (Article 6(f) of the GDPR), with business operations and marketing considerations giving reason to attempt to acquire additional business information. This is especially the case due to business information in principle not being considered to be privacy-sensitive.

Although it could be that the information provided does contain personal data (e.g. the name of the entrepreneur), I consider the nature of this personal data to be innocent in nature. In my view, in such a context the privacy interest of the entrepreneur does not outweigh the interest of your client to know who is visiting the website.

In addition, you delete the IP address as quickly as possible once a website visit has been processed, which means that you are meeting the GDPR requirement regarding data minimisation.

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LOCATIONS

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Your clients must inform their website visitors about Leadinfo, and must conclude a processing agreement with you. You have already acted upon this for them. We have discussed the security measures and did not establish any concerns.

As an additional service, you can provide access to analytics information. This involves placing two first-party cookies, which provides insight into the website use of your visitors only to you. These cookies are not linked to other information and nothing is shared with other parties, which means that no permission is required for these cookies according to privacy legislation and cookie legislation.

Kind regards,
ICTRecht B.V.



Arnoud Engelfriet, LL.M
Partner