

Vertafore Update on GDPR

May 25, 2018

Here at Vertafore, we offer software solutions for independent insurance agencies and brokers, MGAs, MGUs, and carriers to help them manage their business operations. This notification is to advise our customers regarding the European Union ("EU") General Data Protection Regulation ("GDPR"), which went into effect on May 25, 2018, and that GDPR is currently inapplicable to Vertafore.¹

Please note that:

- Vertafore is only located in the US and Canada
- Vertafore does not market its products outside the US and Canada
- Vertafore has sold a single product, ImageRight®, in the EU which is hosted by its EU-based customers within their own hosted environments

Below are more details around the inapplicability of GDPR as it pertains to Vertafore.

Territorial scope of application of the GDPR – the three-pronged test

1. Controller Established in the EU

If a controller or processor has offices or operations in the EU, then the GDPR applies. Vertafore does not conduct operations within the EU. Vertafore UK Ltd., a prior operational subsidiary of Vertafore, has been dormant and has not conducted any operations in the EU or had an office established in the UK since December 31, 2017, and is in the process of active dissolution.

2. Offering Goods or Service in the EU

Vertafore does not market its products in the EU. Vertafore has sold a single product, ImageRight®, which is hosted by its EU-based customers within their own hosted environments. Vertafore does not host the product and has no access to any data contained in the product. All contact directed to any UK or EU person related to this product is purely business-to-business and directed to business customers.

Our Vertafore and Keal websites are offered only in English, and French as applicable in Canada, and are directed to current and prospective United States and Canadian based agencies and brokers, MGAs, MGUs and carriers.

3. Monitoring Data Subjects in the EU

Neither Vertafore nor our products monitor the behavior of individuals in the UK or EU.

Vertafore is not subject to the GDPR regulatory standards providing for direct territorial application of the regulation. As such, Vertafore would not be subject to contractual flow down provisions from our UK or EU-based customers because we do not process personal data of EU data subjects on their behalf. GDPR may be directly applicable to some of our customers, and Vertafore's solutions include features to help enable our customers with their compliance obligations, including data encryption in transit and at rest, comprehensive security policies and procedures, business continuity planning and testing, and regularly conducted penetration and vulnerability testing, among many others.

¹ Vertafore conducted and obtained an independent, outside counsel third party assessment regarding the applicability of this regulation to the company.