



<http://www.yildun-backup-remoto.com>

yildun Remote Backup Services

a professional platform
for remote backup
over the Internet

yildun with differential technology

AGREEMENT CONCERNING THE ACCESS TO PERSONAL DATA

This agreement exists between

INSIMA TEKNOLOGIA S.L., with ID Tax Number B20942348 and located in Oiartzun, provider of the YILDUN service, and the CLIENT for the execution of remote security copies, and the user CLIENT of the service platform for the execution YILDUN Backup security copies.

THEY SET OUT

- I. The CLIENT holds the quality of being responsible of the files containing personal data, in accordance with the legislation on the Personal Data Protection Act in force.
- II. In accordance with the requirements met at the legislation concerning the personal data protection, more specifically on the 12th Article of 15/1999 from the 13th of December, on the Personal Data Protection Act ("LOPD"), both parts agree to enter into a regulatory contract of personal data on the third part for its posterior treatment, when the said access is necessary for the execution of the service, and for the execution of a determined service by the responsible of the file, and when there is not a personal data communication regarding the said Law.
- III. Pursuant to the established levitations on part II, INSIMA TEKNOLOGIA may carry out, pursuant to this Agreement, activities that necessarily require access to personal data, owing to the legal relationship for the execution of the existing services.

STIPULATIONS

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FIRST.- SCOPE OF THE AGREEMENT

The object of this agreement is to establish the terms in which INSIMA TEKNOLOGIA shall access the confidential data and the personal data on the files stored by the CLIENT.

All the material and data that the company of the CLIENT provides to INSIMA within the framework of the service rendering is strictly confidential.

INSIMA warrants that the access to the data and its treatment, as well as the necessary personal information, shall be carried following the instructions established by the CLIENT in order to provide a correct execution of the purchases service.

SECOND.- DATA MANAGEMENT

INSIMA warrants to treat the Personal Data in a unique and exclusive way in order to fulfil the obligations of this Agreement, in accordance with the specific instructions received by the CLIENT, and this shall not be applied or used for different purposes than the ones specified on this Agreement, keeping the data at INSIMA's employees disposal exclusively in case they need to treat them in order to fulfil the obligations of this Agreement.

INSIMA shall not be able to transmit the Personal Data, fully or partly, to a third party, not even for its maintenance or transferring the Personal Data without the prior consent, in writing by the CLIENT, with the only exception of those third parties that need to execute the activities defined in the scope of this agreement.

THIRD.- DATA SECURITY

INSIMA warrants to adopt the necessary technical and organizational steps in order to ensure the security of the Personal Data to which the personnel have access to, in order to avoid the alteration, loss, treatment, communication and non-authorized access.

Likewise, INSIMA warrants to apply the same basic security measures on the access to Personal Data through communication networks, to those applied to the accesses on a local mode.

By signing this agreement, INSIMA warrants to return to the CLIENT all the Personal Data that have been treated on supports or documents once the contractual provision has been fulfilled, without leaving any copy of the them.

FOURTH.- PROFESSIONAL SECRET

Under this Agreement INSIMA warrants to keep the professional secret regarding the Personal Data to which it has access to, maintaining the absolute confidentiality and reserve about any data that could be recognised on the occasion of the compliance of the service rendered, not transmitting any data provided by the CLIENTE, not even for its conservation.

This agreement shall be included on the website of the service and it will be made available to the CLIENT of the service, who accepts it once the service usage is accepted.

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