

SCHREMS II DECISION : SCCs AND SUPPLEMENTARY MEASURES

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Implementing complementary measures is Sendinblue's priority when it comes to GDPR compliance, considering the CJEU "Schrems II" decision from July 2020 and the EDPB guidelines from November 2020.

- Module 3 of the SCCs¹ (Processor to Processor) has been signed by Sendinblue with its two affiliate companies in the US and India.
- Personal data is only processed by Sendinblue's employees, and the US (Inc) and Indian (Silver Line Ltd) affiliates are owned and controlled by Sendinblue.
- In this case, the transfer consists exclusively of a remote access to the data, to achieve two precise purposes (customer care and maintenance), in situations that are identified and limited according to the principle of data minimization.
- These employees are bound by a confidentiality agreement and are regularly sensitized to data protection and GDPR.
- Any copy or extraction of data by our employees is prohibited.
- No sensitive data (according to the meaning of article 9 of the GDPR) is processed by Sendinblue.
- Data storage is in the EU, and back up data is encrypted.
- Efficiency of data subjects' requests remain unchanged, the processors are Sendinblue's affiliates which shall meet Customers' requests exactly as if they were located in the EEA.
- Sendinblue's activity has never been subjected to a request from the US administration under section 702 of FISA and up to this day.
- In case the situation would occur, Sendinblue undertakes to systematically refuse, when permitted by applicable law, to communicate data to a third party (private or public).

Arthur Poirier

Data Protection Officer

¹ Standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council (https://ec.europa.eu/info/system/files/1_en_annexe_acte_autonome_cp_part1_v5_0.pdf)