

Privacy Policy

1. Overview

QANTM Intellectual Property Ltd (ACN 612 441 326) (**QANTM**) is committed to respecting the privacy of an individual's personal information including personal information relating to our clients, visitors to our websites and other members of the public.

This Policy applies in relation to collection, retention, management, use, and disclosure of personal information by QANTM and its related bodies corporate (as that term is defined in the Australian Corporations Act 2001 (Cth)) (together, the QANTM Group, also referred to us in this Policy as we, us and our).

In this Policy, personal information generally means information about an identifiable individual, or an individual who is reasonably identifiable, regardless of whether the information or opinion is true or recorded in a material form (for example, a person's name, address, phone number, tax file number or bank account number).

If information does not disclose a person's identity or enable an identity to be ascertained, or if information is not "about" an individual but may incidentally enable an individual to be identified, it will in most cases not be classified as "personal information" and it will not be subject to this Privacy Policy.

In addition to this Policy, the QANTM Group and its third-party partners (as the case may be) have privacy notices and other terms that provide further information about a person's privacy in the particular circumstances. Those additional privacy notices and terms contain important information about the collection, use and disclosure of personal information by the QANTM Group and our third-party partners.

2. Application of privacy laws

The QANTM Group includes eight intellectual property (*IP*) services businesses operating under three key brands:

Davies Collison Cave, including:

- Davies Collison Cave Pty Ltd - an incorporated patent and trade mark attorney business operating in Australia and New Zealand (**DCC**)
- Davies Collison Cave Law Pty Ltd - an incorporated legal practice operating in Australia (**DCC Law**)
- Davies Collison Cave Asia Pte Ltd - an incorporated patent and trade mark attorney business operating in Singapore (**DCC Asia**)
- DCC Hong Kong Limited - an incorporated patent and trade mark attorney business operating in Hong Kong (**DCC Hong Kong**)
- DCC Advanz Malaysia Sdn Bhd - a specialist intellectual property advisory company operating in Malaysia (**DCC Advanz**);

FPA Patent Attorneys, including:

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- FPA Patent Attorneys Pty Ltd - an incorporated patent attorney business operating in Australia and New Zealand (**FPA**);
- FPA Patent Attorneys Asia Pte Ltd - an incorporated patent attorney business operating in Singapore (**FPA Asia**);

Sortify.tm Limited – a New Zealand-headquartered incorporated trade mark legal technology company (**Sortify**).

These IP services businesses, and the other members of the QANTM Group, will comply with the privacy laws applying in the countries in which they operate. These include the Australian *Privacy Act 1988* (Cth) and the Australian Privacy Principles established under that Act, the New Zealand *Privacy Act 1993*, the Singaporean *Personal Data Protection Act 2012*, Personal Data (Privacy) Ordinance (Cap. 486) (Ordinance) and the Malaysian *Personal Data Protection Act 2010*. If a requirement of an applicable local law varies from the principles set out in this Policy, the relevant QANTM Group member will comply with the local legal requirement.

QANTM Group members may sometimes deal with personal information relying on exemptions under applicable laws, examples of which may include (in relevant circumstances) dealing with employee records, and sharing of information with related bodies corporate, and in connection with providing services to relevant authorities. Any permitted handling of personal information under such exemptions will, to the extent of such permission, also be permitted under this Policy.

3. Our obligations of confidentiality and your consent

The businesses of QANTM that provide professional services operate independently of each other in the provision of professional services to their clients, in full compliance with the law, professional standards, ethical duties, and codes of conduct.

In Australia, for our registered patent and trade mark attorneys, the key governing document is the Code of Conduct for Trans-Tasman Patent and Trade Marks Attorneys (2018)(the *Code of Conduct*). Our incorporated legal practice, Davies Collison Cave Law Pty Ltd and the solicitors employed by it are bound by the *Solicitors' Conduct Rules* in place in the various Australian jurisdictions in which they are registered to practise.

To comply with the Code of Conduct and the Solicitor's Conduct Rules, rigorous security and data protection protocols ensure that there is no sharing of client confidential information among the different members of the QANTM Group. Client files and records are maintained separately, and matters are conducted separately, by each professional services practice within the QANTM Group. There is no disclosure of confidential information relating to the conduct of professional services matters unless:

- the client has consented (for example, to the engagement of another QANTM Group member to provide professional services, such as legal

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advice in relation to the protection of an IP right or services in another jurisdiction); or

- where disclosure is compelled by law (for example, disclosure under a court subpoena, or to government agencies such as Tax Offices of law enforcement agencies).

4. Collection and holding of personal information

4.1. How we collect and hold personal information

In the course of conducting our business, we may collect personal information from numerous sources, including clients and potential clients, visitors to our website, business associates, suppliers of goods and services, shareholders and potential investors in QANTM.

For example:

- we will record names, addresses and other pertinent details comprising personal information when we take instructions on a professional matter, and potential clients will provide personal information when completing forms associated with becoming a client of a QANTM Group member;
- an individual may provide us with personal information when using our websites, attending events or presentations hosted by us, contacting us to request information, providing feedback or applying for employment, or in the course of normal business dealings.

Generally, this is collected directly from the individual, however sometimes it may be collected from publicly available sources, including social media platforms, information brokers and third parties. For example, in providing us with instructions on a professional matter, a person who is the authorised contact for a client matter may provide us with their own personal information, as well as information in relation to other members of their organisation which may be relevant to the conduct of the matter.

We hold personal information electronically and in hard copy, at our own facilities and with the assistance of our service providers. We implement a range of measures, including people, process, and technology controls to protect the security of an individual's personal information. Examples of these measures include access to personal information being controlled through access and identity management systems; and maintaining an ongoing program where we continually assess and review cyber security.

4.2. Types of personal information collected

Some information that we collect may, depending on the circumstances, be classifiable as "personal information". This may in some instances include, for example, names, dates and place of birth, contact details such as phone number, fax number, address and email, tax file number, passport number, visa, banking and credit card details. We may conduct reference checks, and collect superannuation details, or family contact details in connection with considering applications for employment or contract roles.

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Some information may be “sensitive”, as defined in the Australian *Privacy Act*, such as health information, dietary requirements, details of any disability, details of political or religious affiliations, biometric data, racial or ethnic origin, health including pre-existing medical conditions, philosophical beliefs, membership of a professional, trade or union associate, sexual orientation and details of any criminal record.

Sensitive information of this nature is only collected with a person's voluntary and fully informed consent and only to the extent it is directly relevant to a service which we are offering to them, subject to certain exceptions described in applicable laws. For example, Australian law permits the collection of personal information, including sensitive information, if the collection is required or authorised by or under an Australian law or a court/tribunal order. Australian law also permits collection of personal information if it is necessary to prevent a serious threat to the life, health or safety of an individual.

5. How we use personal information

5.1. Clients

Generally, the QANTM Group members who provide professional services will collect personal information in order to provide services which a client has requested. The personal information collected will generally assist us to provide more accurate advice and a better service.

QANTM Group members may also use personal information to help to identify and inform a person about potentially beneficial services which we can provide, invitations to events such as training sessions and networking events, or inform them about developments in intellectual property laws. We aim to provide information and invitations that we consider to be of interest and relevance to the individual and the business, and will only use their personal information for this purpose if we have collected such information direct from the individual and if it is material of a type which the person would reasonably expect to receive from us. These contacts may take place by telephone, email and other electronic means. If a person uses our services, or if we have any form of business relationship with the person, we will assume that the person consents to receiving direct marketing material. If the person does not wish to be contacted for these purposes, they should let us know using the contact details provided below. Alternatively, the person may contact us as set out below and request to receive no further communications of this nature. In addition, all marketing materials will include an “unsubscribe” process.

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5.2. Employees and contractors

QANTM Group members may also use personal information for normal business purposes, such as internal accounting and administration, human resources management, risk management, planning, investigating complaints or queries from clients or investors, or in connection with obtaining products and services from other parties.

By voluntarily providing us with information about themselves, an individual is consenting to our use of that data in the manner described in this Policy.

6. Disclosure of personal information

6.1. Disclosure to specialists in connection with professional services

Depending on the nature of the work which we are undertaking, we may, with our client's agreement, instruct local or overseas specialists, such as foreign associates (to assist with obtaining advice or, or an application for, an intellectual property right in an overseas jurisdiction), barristers (to assist with a litigation matter), investigators, experts, or other law, patent, or renewal agent. In the course of doing this, we may disclose personal information relating to a client or their representatives, to enable the specialist to provide the necessary service, or to determine whether a conflict of interest exists.

6.2. Emergencies and legal requirements

In some situations, such as emergencies or where required by law, QANTM Group members may be required to assist government agencies, such as law enforcement agencies or the Australian Tax Office, by providing access to certain personal information that we hold.

6.3. Other disclosures

We may share personal information where permitted by law with third parties including our clients, a person's employer or place of business, or other service providers, including organisations that assist us by providing archival, auditing, professional advisory (including legal, accounting, financial and business consulting), mailhouse, graphic design, printing, delivery, technology, website, research, banking, payment, customer contact, data processing and security services. Where appropriate, a QANTM Group member may share personal information (other than sensitive information and, unless a client has consented, confidential information related to conduct of a professional services matter) with its related bodies corporate, which are listed on the QANTM website (www.qantmip.com). Notwithstanding the foregoing, any transfer of personal information from Australia to any related body corporate located overseas will comply with the requirements of the Australian Privacy Principles with respect to cross-border disclosures.

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6.4. Overseas transfers

- a. An individual's personal information may be transferred overseas or stored overseas for a variety of reasons, including obtaining professional services at a client's request in relation to an overseas jurisdiction, or disclosure to a government agency administering intellectual property in an overseas jurisdiction. Our technology and other service providers may be located overseas or use overseas assets. It is not practical to identify each country to which their personal information may be transferred as part of our normal business operations.
- b. If an individual's personal information is sent to a recipient in a country with data protection laws which are substantially similar to the Australian Privacy Principles, and where there are mechanisms available to the individual to enforce protection of their personal information under that overseas law, we will not be liable for a breach of the Australian Privacy Principles if the individual's personal information is mishandled in that jurisdiction.
- c. If an individual's personal information is transferred to a jurisdiction which does not have data protection laws as comprehensive as Australia's, we will take reasonable steps to secure a contractual commitment from the recipient to handle their information in accordance with the Australian Privacy Principles. Alternatively, we may simply seek their consent after providing them with all relevant information about data protection laws in the destination jurisdiction.
- d. In some circumstances, the European Union *General Data Protection Regulation (GDPR)* provides additional protection to individuals located in Europe. Where this is the case, there may be additional rights and remedies available to a person in respect of whom a QANTM Group member holds personal information.
- e. If an individual's personal information is being transferred to us from within a Member State of the European Union and without their consent we will, if requested by the transferring entity, commit to standard data protection clauses adopted by the European Commission whereby we undertake to handle their personal information in a manner consistent with European laws.

7. Security of personal information

Irrespective of whether personal information is stored electronically or in hard copy form, the QANTM Group will take reasonable steps to protect the personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure.

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8. Additional information for users of website

- a. If an individual visits a QANTM Group member's website to read, browse or download information, QANTM Group system(s) may record information such as the date and time of the visit to the website, the pages accessed and any information downloaded. This information is used for statistical, reporting and website administration and maintenance purposes only.
- b. The information about an individual which may be collected by the QANTM Group through the website includes:
 - i. information collected when an individual registers or updates an online profile, which may include personal information such as name and contact details;
 - ii. the content of electronic forms submitted via the website, requesting a QANTM Group member to provide services or information or take actions;
 - iii. any messages or comments submitted to via the website, eg through an email in the 'Contact Us' area;
 - iv. information collected when an individual participates in an online survey; and
 - v. information an individual provides in seeking employment within the QANTM Group.
- c. Like many websites, QANTM Group websites may use 'cookies', which are small text files that are transferred to a computer's hard drive through a web browser to enable its systems to recognise an individual's browser. Cookies may also be used to record non-personal information such as the date, time or duration of a visit, or the pages accessed, for website administration, statistical and maintenance purposes. The default settings of some browsers allow cookies, but users can easily erase cookies from their hard-drive, block all cookies, or receive a warning before a cookie is stored. Please note that some parts of the QANTM Group members' websites may not function fully for users that disallow cookies.
- d. The QANTM Group may engage third party services from time to time for website or email monitoring, reporting and analysis purposes (eg. Google Analytics). Those services may also use cookies and gather anonymous web usage information through QANTM Group members' websites.
- e. Cookies and the anonymous web usage information referred to above will not be used to identify individuals unless required by law, or where the website is accessed via links in an email that a QANTM Group member has sent which specifically refers to the fact that clicking on links from the email may be tracked.
- f. While the QANTM Group takes great care to protect personal information on its websites, unfortunately no data transmission over the internet can be guaranteed to be 100% secure. Accordingly, the QANTM Group cannot ensure or warrant the security of any information sent to it or receive from

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it online. This is particularly true for information sent via email. The QANTM Group has no way of guaranteeing that information is protected in transit. Once information is received, the QANTM Group will use all reasonable endeavours to ensure its security whilst in QANTM Group's possession. If an individual is concerned about providing sensitive or confidential information online, please contact the QANTM Group by phone or mail.

- g. From time to time, some sections of QANTM Group websites may protect personal information by requiring an individual to use a password. For an individual's own protection, the QANTM Group requires the password to be kept confidential, and that the password be changed regularly.
- h. Please note that in some emergency or law enforcement situations, government agencies may have the authority to review the QANTM Group's web server's records.
- i. The QANTM Group websites may contain links to other sites. The QANTM Group is not responsible for the privacy practices or policies of those sites.

9. Video Surveillance

- a. Individuals should be aware that there may be video or other surveillance of lift lobbies and other areas in premises occupied by the QANTM Group members. This may include continuous or intermittent surveillance. This is predominantly as a security precaution and may assist the QANTM Group and others to identify security threats within its premises.
- b. The QANTM Group reserves the right to use the surveillance outputs if it reasonably suspects that an individual may be involved in misconduct or illegal activity. In some instances, this may necessarily involve the identification of individuals who are bystanders.

10. Accessing and updating personal information

- a. If an individual wishes to seek access to, or to request correction of, any of their personal information held by the QANTM Group, they should please contact QANTM at the address below, and provide as much detail as possible about the particular information sought, in order to help retrieve it.
- b. We will deal with the individual's request in a reasonable time – usually within 14 days of receipt of the request. We will not charge the individual for making such a request but we may recover from them our reasonable costs incurred in supplying access to this information.
- c. In some cases, the QANTM Group may not be required by law to provide access to, or to correct, personal information and if that is the case, the QANTM Group will give reasons for its decision.
- d. If an individual asks us to correct personal information which they consider to be inaccurate, but we decline on the basis that we consider it to be accurate, we will if requested include a notation on the record regarding their views as to the accuracy of that information.

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- e. The QANTM Group will take reasonable steps to make sure that personal information it collects, uses and discloses is accurate, complete, relevant and up-to-date. If we are holding personal information which we no longer need and which we are not otherwise required by law to retain, we will destroy or de-identify that information.

11. Changes to this policy

We reserve the right to change and modify this Privacy Policy at any time without prior notice. An individual's continued use of our website or services, or further provision of personal information following the posting on our website of changes to these terms, will signify their acceptance of these changes. An individual will always have access to the most recent version of our Privacy Policy on our website.

12. Questions and complaints

- a. If an individual has a question, complaint or request concerning the privacy of their personal information, please contact us at the following addresses:

Mail: QANTM Intellectual Property Limited

ATTN: Company Secretary
GPO Box 4387
Melbourne VIC 3001

Telephone: +61 3 9254 2666

Email: info@qantmip.com

- b. In relation to a complaint, we may seek further information from the person to clarify their concerns. If we agree that their complaint is well founded, we will, in consultation with the person, take appropriate steps to rectify the problem. If the person remains dissatisfied with the outcome or they wish to obtain information about privacy generally, they may refer the matter to the Office of the Australian Information Commissioner at:

GPO Box 5218 Sydney NSW 2001

Telephone: [1300 363 992](tel:1300363992)

Email: enquiries@oaic.gov.au

Website: oaic.gov.au