

# Privacy Policy

Your privacy is important to us. This notice describes how Cozen O'Connor collects and uses information from you when you visit [www.cozen.com](http://www.cozen.com), (Cozen website).

## INFORMATION COLLECTED ON THE COZEN WEBSITE

### **Personally Identifiable Information**

The majority of the information provided by Cozen O'Connor on the Cozen website is available without Cozen O'Connor collecting any information that is identifiable to you as an individual such as your name, email address, street address or telephone number (Personally Identifiable Information). You can review almost the entire Cozen website without disclosing any Personally Identifiable Information. However, Cozen O'Connor does collect Personally Identifiable Information that you may provide voluntarily. Some examples of times when Cozen O'Connor collects Personally Identifiable Information include when you:

- Submit an online request for information about Cozen O'Connor
- Ask us about employment opportunities and send us your resume or other employment experience information
- Complete a survey
- Send us an e-mail message

*You have a choice as to whether to provide Cozen O'Connor with any Personally Identifiable Information.* Although you are not required to disclose any Personally Identifiable Information to us, portions of the Cozen website may not be available to you without your providing this information.

Due to the business and legal oriented nature of the Cozen website, it is not designed to appeal to children under the age of 13. We do not knowingly request, receive or collect any information from children.

## **Non-Personally Identifiable Information**

The second type of information collected on the Cozen website is Non-Personally Identifiable Information, such as the type of Web browser you use, your domain name and links you may have used to locate the Cozen website, but which otherwise does not identify you individually.

### **HOW WE USE THE INFORMATION COLLECTED**

We do not sell or rent any information which we receive from the Cozen website. Except as stated in this Privacy Policy, we will not share your Personally Identifiable Information with anyone outside of Cozen O'Connor and those hired by Cozen O'Connor to perform work on its behalf.

Cozen O'Connor uses any Personally Identifiable Information you provide in a limited number of ways. We may use your Personally Identifiable Information to (i) provide you with information about Cozen O'Connor and its services or (ii) enhance or update the Cozen website or (iii) compile demographic statistics about users of the Cozen website. We may also, on occasion, combine information about you that we have with information we obtain from other parties to enhance our ability to provide you with information about Cozen O'Connor and its services that we think may be of interest to you.

In addition, Cozen O'Connor may hire other companies to perform services on our behalf such as facilitating certain aspects of the Cozen website or sending you email. These companies may be supplied with or have access to your Personally Identifiable Information for the sole purpose of providing these services to us or on our behalf. Cozen O'Connor may also use third-party ad servers or ad networks to deliver ads to you on Cozen O'Connor's behalf. These third-party ad servers may be supplied with or have access to your Personally Identifiable Information for the sole purpose of providing these services to us or on our behalf. They also may also collect and use Non-Personally Identifiable Information about your visits to the Cozen website in order to send advertisements that may be of interest to you.

On an aggregate basis only, we may collect Non-Personally Identifiable Information about users of the Cozen website. Cozen O'Connor will never disclose any Personally Identifiable Information as part of this aggregate information but we may lend, sell, share or otherwise disclose Non-Personally Identifiable

Information with others so we can perform research and provide the results to third parties, enhance and market the Cozen website, and conduct accounting and process record keeping functions. Additionally, we may use IP address information to count and track aggregate visits to the Cozen website, to help diagnose problems with our server, and to administer the Cozen website. Cozen O'Connor does not link IP addresses to anything personally identifiable so while a particular user's session can be tracked, the user remains completely anonymous. We also may use this information to assist us in the ongoing technical development of the Cozen website.

***Cozen O'Connor will make every effort to preserve user privacy but we may need to disclose Personally Identifiable Information when required by law or if we have a good-faith belief that the action is necessary to comply with a pending judicial proceeding, a court order or legal process served on Cozen O'Connor or to protect our rights or the rights of others, to fight fraud, identity theft, to ensure the integrity and operation of our business and systems, or to protect the rights, property, or safety of Cozen O'Connor, its employees, members or others.***

Also, in the unlikely event that Cozen O'Connor, or substantially all of its assets, is acquired by another firm, personally identifiable information may then be transferred.

### **3<sup>rd</sup> Party Advertising Cookies Opt-Out**

Cozen O'Connor is dedicated to providing privacy on the Internet. In addition to developing our privacy policy, we have provided you the opportunity to opt out of future 3<sup>rd</sup> party advertising cookies.

Cozen O'Connor allows third parties to place cookies on our site for advertising purposes. This Online Privacy Statement does not cover the collection methods or use of the information collected by these vendors. These vendors have their own privacy policies and may be members of the [Network Advertising Initiative \(NAI\)](#). To remove yourself from some or all NAI member advertising programs, please visit the [NAI Opt-Out Page](#) and follow the relevant instructions. Please note that if you delete, block, or otherwise restrict cookies, or if you use a different computer or Internet browser, you may need to renew your opt-out choice.

### **Other Websites and Links**

We may include links to other websites that we think will be of interest to you or operated by our business partners, affiliates, advertisers and others. These third parties have separate data collection and privacy practices independent from ours, and Cozen O'Connor cannot be responsible for their policies or activities. Please contact those third parties directly if you have questions about their privacy policies.

### **Cookies, Web Beacons and Clear Gifs**

Cozen O'Connor also uses a feature of your browser called a "cookie." Your cookie automatically identifies your computer - but not you - to our servers when you visit the Cozen website and allows us to correlate your computer with certain usage patterns which are stored in our log files. We use cookies to gather general, aggregate statistics about the overall popularity and usage of the Cozen website. Cozen O'Connor also uses more temporary cookies, often referred to as session cookies, to keep a user logged into the system and aid in the exchange of information between pages without loss of data. Such a cookie, however, is only stored for the current browsing session and is deleted once the browser is closed. Cozen O'Connor can also only read cookies from the Cozen website. Search for *Cookies* under your Web browser's *Help* menu for more information on cookie management features available to you. If your browser is set to reject all cookies, the Cozen website may not function properly.

Cozen O'Connor may also collect information through the use of clear gifs (also called Web beacons and Web bugs) in selected email messages we send to you. These are tiny graphic files, not visible to the human eye, that are included in HTML-based emails and used to let us know which emails we send are opened. Clear gifs may also see or read cookies on your computer. When authorized by Cozen O'Connor, third parties specializing in monitoring aggregate statistical use of our site with whom we contract, may use cookies, our web log files, web beacons, and other monitoring technologies to compile anonymous aggregate data.

### **Accessing and Updating Information**

Cozen O'Connor does not currently have an online method for users to delete their Personally Identifiable Information contained in our database. However, you may change or update the Personally Identifiable Information we have collected, request that we delete it, or request that we change how we use it by sending an

email to [privacy@cozen.com](mailto:privacy@cozen.com) with your instructions.

### *Scope*

This Privacy Notice (“Notice”) describes how Cozen collects and uses your Personal Data in accordance with the EU General Data Protection Regulation (“GDPR”) and other applicable data protection and privacy legislation. It tells you what Personal Data we collect, why we need it, how we use it and what protections are in place to keep it secure.

### *Key Terms*

“Cozen” “we” “us” and “our” mean and Cozen O'Connor LLP and all of its affiliates (to the extent that they process Personal Data concerning persons (“Data Subjects”) in the European Union).

“Cozen Personnel” means Cozen’s prospective, present and past partners, employees, consultants and agency staff, and people connected to such persons.

“Personal Data” means information about individuals (including you), and from which such individuals could be identified.

“You” means individuals whose Personal Data we process including, but not limited to Cozen’s clients, Cozen’s client personnel, counter-parties, counter-party personnel, other solicitors/advisors, witnesses, suppliers, supplier personnel, job applicants and individuals to whom we send marketing communications. “You” does not include Cozen Personnel.

### *Data Controller*

Cozen is the Data Controller in relation to your Personal Data and is committed to protecting the privacy rights of individuals, including your rights.

### *Data Protection Manager*

Cozen is not required under the GDPR to appoint a Data Protection Officer and, following a detailed analysis does not consider it appropriate to do so on a voluntary basis. It has however, appointed a Data Protection Manager, (“DPM”) who is responsible for overseeing Cozen’s compliance with the GDPR and any other applicable data protection legislation and regulation.

The DPM can be contacted at [GDPR@cozen.com](mailto:GDPR@cozen.com).

### *How does Cozen obtain your Personal Data?*

In some circumstances, we may obtain your Personal Data from you directly including through your use of this website or a job application but, more typically, we will obtain your Personal Data from a third-party source, for example, we may collect information from our clients/our clients' personnel, agents and advisors, other law firms/advisors which represent you, the company for whom you work, other organisations/persons with whom you have dealings, government agencies, credit reporting agencies, recruitment agencies, information or service providers and publicly available records.

### *What about Personal Data which you provide to Cozen?*

If you provide information to us about someone else (such as one of your associates, directors or employees, or someone with whom you have business dealings) you must ensure that you are entitled to disclose that information to us and that, without our taking any further steps, we may process that information in accordance with this Notice.

### *What Personal Data does Cozen collect from and about you?*

We collect and use different types of Personal Data about you, which will vary in type and detail depending on the circumstances and purpose of processing. Please consider the following illustrative and non-exhaustive examples:

- *Personal Data about you:* name, address, date of birth, marital status, nationality, race, gender, preferred language, job title, work life and restrictions and/or required accommodations, possibly about your family life;
- *Personal Data to contact you at work or home:* name, address, telephone, and e-mail addresses;
- *Personal Data which may identify you:* photographs and video, passport and/or driving license details, electronic signatures;
- *Personal Data to process any payment we might need to make to you:* bank account details, HMRC numbers and references (where applicable);
- *Personal Data to monitor your use of our website:* IP address, traffic and location information, weblogs and other communication information.

### *Why do we need to collect and use your Personal Data?*

We need to collect and use your Personal Data for a number of reasons, the

primary purpose being to provide legal advice and services to our clients and which may involve the use of your Personal Data in the following (non-exhaustive) ways:

- to contact you if you are involved in a matter we are undertaking for a client, whether in your professional or personal capacity;
- to carry out investigations, risk assessments and client due diligence;
- to analyse the practices of your employer or other organisations and/or persons with whom you have dealings;
- to review, draft and disclose correspondence and other documents, including court documents;
- to instruct third-parties on behalf of our clients; and
- for comparison/analytical purposes and to formulate legal opinions and provide advice.

We may also process your Personal Data for effective business management purposes which may involve the use of your Personal Data in the following (non-exhaustive) ways:

- to engage and contact suppliers;
- to carry out internal reviews, investigations, audits;
- to conduct business reporting and analytics;
- to advertise and market the services that we provide;
- to help measure performance and improve our services;
- for recruitment purposes;
- for regulatory and legislative compliance and related reporting; and
- for the prevention and detection of crime.

*What is Cozen's legal basis for processing your Personal Data?*

Under the GDPR, Cozen must identify a lawful basis for processing your Personal Data which may vary according to the type of Personal Data processed and the individual to whom it relates.

- Performance of a contract with you (where applicable):

Cozen is entitled to process the Personal Data it requires in order to fulfil its obligations under its contract with you. This will be the relevant legal basis if you are an individual client or supplier/other individual with a direct contractual relationship with Cozen.

- Legitimate interests of Cozen or a third-party:

We process some of your Personal Data on the basis that it is in our legitimate interests and/or the legitimate interests of a third-party to do so. This will primarily concern the processing of Personal Data that is necessary to provide legal advice and services to our clients. Cozen's legitimate business interest in such instances is the proper performance of its function as an authorised and regulated provider of legal services. Cozen's clients' also have a legitimate interest (and more general right in law) in obtaining legal advice and services.

Cozen's broad interest in the provision of legal services as a basis for processing your Personal Data, and our clients' corollary interest in the receipt of such services, can be broken down into more discreet categories which may include, but are not limited, to:

- the interest in contacting individuals relevant to Cozen's work and our clients' matters, which may involve the use of your Personal Data;
- the interest in reviewing documents and correspondence that have been disclosed to Cozen, Cozen's clients and third-parties which may contain your Personal Data;
- the interest in reviewing and analysing all evidence available to Cozen and its clients, which may contain your Personal Data;
- the interest in adducing legal arguments, creating documents and correspondence, which may contain your Personal Data;
- the interest in disclosing documents and correspondence, which may contain your Personal Data, to various parties in the furtherance of Cozen's clients' objectives;
- the interest in instructing third-parties on behalf of Cozen's clients;
- the interest in receiving payment from Cozen's clients and third-parties and to facilitate payments to and from Cozen's clients and third-parties; and



- in order to allow for all of the above, the secure management and storage of your Personal Data, within our IT environment and hard-copy filing systems.

Cozen may also process your Personal Data on the basis that it is necessary for its legitimate business interests in the effective management and running of Cozen which may include, but is not limited to: engaging suppliers and supplier personnel; ensuring that its systems and premises are secure and running efficiently; for regulatory and legislative compliance, and related auditing and reporting; for insurance purposes; for recruitment/hiring purposes; for marketing purposes; and to facilitate, make and receive payments.

Cozen does not consider that the processing of your Personal Data, on the basis that it is within Cozen's legitimate interests (whatever such interests might be), is unwarranted because of any prejudicial effect on your rights and freedoms or your legitimate interests.

- Compliance with a legal obligation to which Cozen is subject:

In certain circumstances, Cozen must process your Personal Data in order to comply with its legal obligations. This might include, but is not limited to, Personal Data required: for tax and accounting purposes; for conflict checking purposes as required by the common law and Cozen's regulators; and for Cozen to fulfil its compliance and other obligations under relevant legislation/regulation.

More information relating to legal bases for processing Personal Data can be found on the Information Commissioner's website (see details below) or by contacting the DPM.

#### *Special category and criminal records Personal Data*

If Cozen processes your criminal records Personal Data or special category Personal Data relating to your racial or ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, health data, biometric data or sexual orientation, we will obtain your explicit consent to those activities unless this is not required by law (because, for example, it is processed for the purpose of exercising or defending legal claims) or the information is required to protect your health in an emergency. Where we are processing Personal Data based on your

consent, you have the right to withdraw that consent at any time.

### *Direct Marketing*

We may use your contact details to send you marketing materials, provided we are permitted to do so by law. You always have the right to unsubscribe from any marketing. You can do so by clicking on the relevant link in the next email we send you, or by contacting the DPM using the details provided.

### *Who receives your Personal Data?*

We may disclose your Personal Data to third-parties (outside of Cozen and Cozen Personnel) if, but only when, we have a legal basis to do. Such recipients include but are not limited to: co-counsel, other solicitors/barristers/experts/foreign law firms whom we instruct on your behalf; Courts, Cozen's insurance brokers and underwriters; Cozen's bank, auditors and accountants; Cozen' outsourced IT providers and other suppliers; HMRC; the SRA; the Law Society; the other side/other parties on any given matter (lay and solicitor).

### *How do we protect your Personal Data?*

We have security arrangements in place to guard against unauthorised access, improper use, alteration, destruction or accidental loss of your Personal Data. We take appropriate organisational and technical security measures and have rules and procedures in place to ensure that any Personal Data we hold is not accessed by anyone unauthorised to access it. We have in place, and abide by, a specific information security policy about the security standards used to protect your Personal Data.

When we use third-party organisations to process your Personal Data on our behalf, they must also have appropriate security arrangements, must comply with our contractual requirements and instructions and must ensure compliance with the GDPR and any other relevant data protection legislation.

### *Is your Personal Data transferred to "third countries" and, if so, what safeguards are in place?*

In accordance with this Notice and the provisions of the GDPR, we may transfer your Personal Data to organisations located in "third countries" (those outside of the EEA). In addition to the security arrangements mentioned above in relation to our engagement of third-party organisations, where such transfers are required we will ensure that your Personal Data is adequately protected, for example, by using a contract for the transfer which contains specific data protection

provisions (the “Model Clauses”) that have been adopted by the European Commission or a relevant data protection authority.

The transfer of your Personal Data from our UK office to Cozen affiliates may constitute a transfer to a “third country” and, accordingly, the relevant entities have contracted on such a basis. If you wish to see a copy of these Model Clauses, please contact the DPM.

#### *How long will your Personal Data be retained by Cozen?*

It is our policy to retain your Personal Data for the length of time required for the specific purposes for which it is processed by Cozen and which are set out in this Notice. However, we may be obliged to keep your Personal Data for a longer period, for example, where required by our legal and regulatory obligations or in order to ensure we have effective back-up systems. In such cases, we will ensure that your Personal Data will continue to be treated in accordance with this Notice, restrict access to any archived Personal Data and ensure that all Personal Data is held securely and kept confidential.

#### *What are your rights?*

The GDPR generally affords individuals a right to access their Personal Data, to object to the processing of their Personal Data, to rectify, to erase, to restrict and to port their Personal Data.

We have specific procedures in place in relation to Subject Access Requests (“SARs”) that you may be entitled to make. Put simply, a SAR is a request made by you which requires us to provide you with details of your Personal Data which we hold and process and a description of how we process it. Any questions or requests should be put in writing to the DPM.

There are exceptions to the rights of individuals in relation to their Personal Data and, particularly when we are processing your Personal Data for the purpose of providing legal advice to our clients, your rights may be limited. We will, at all times, respect your Personal Data and seek to be as transparent as possible but please be aware that, in some instances, we may be restricted from even acknowledging that we process your Personal Data.

#### *How to make a complaint*

If you are unhappy with the information provided in this Notice or have concerns about the way in which Cozen processes your Personal Data you may in the first instance contact the DPM, and if you remain dissatisfied then you may apply

directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF [www.ico.org.uk](http://www.ico.org.uk)

## **Changes to this Privacy Policy**

We encourage you to review our Privacy Policy not just the first time you visit the Cozen website but periodically afterward since we may modify our Privacy Policy from time to time. The date of the last update of the Privacy Policy will always be posted below.

**THIS PRIVACY POLICY WAS LAST REVISED ON: May 24, 2018.**

If we make any substantive changes to our Privacy Policy in the future with regard to how we use your Personally Identifiable Information, we will incorporate those changes here. Your continued use of the Cozen website after the changes are posted constitutes your agreement to the changes, both with regard to information we have previously collected from you and with regard to information we collect from you in the future. If you do not agree to the changes, please discontinue use of the Cozen website.

## **International Users**

Like almost every website, the Cozen website is accessible around the world. By visiting the Cozen website and providing your information, you acknowledge and agree that your personal information can be stored for the purposes identified in this Privacy Policy. We process and store your information in North America and your information may be stored on servers located outside your residential jurisdiction and which may have less stringent privacy practices than your own. If you access the Cozen website from outside the United States, your usage of the Cozen website constitutes consent to the transfer of your data outside of your country and to North America.

## **Security**

We employ security measures to prevent unauthorized access to information that you provide to us and that we collect online. However, we cannot guarantee the security of your personal information.

### **Contacting Cozen O'Connor**

Please feel free to share any comments and concerns with us. If you have any questions about this Privacy Policy, please contact:

Camille Miller

Cozen O'Connor

1650 Market Street

Philadelphia, PA 19103

215-665-2000

Or by e-mail at: [privacy@cozen.com](mailto:privacy@cozen.com)



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