

# Data Processing Agreement (DPA) for KeepSilent

**Effective Date: April 18, 2025**

This Data Processing Agreement ("DPA") forms part of the agreement between you ("Controller") and KeepSilent ("Processor"). It governs the Processor's processing of personal data on behalf of the Controller in connection with the software development services provided by KeepSilent.

## 1. Definitions

1.1 **Controller:** The entity that determines the purposes and means of processing personal data.

1.2 **Processor:** The entity that processes personal data on behalf of the Controller.

1.3 **Personal Data:** Any information relating to an identified or identifiable natural person.

1.4 **Processing:** Any operation or set of operations performed on personal data (e.g., collection, storage, use, deletion).

1.5 **Data Subject:** The individual whose personal data is processed.

1.6 **Sub-Processor:** Any third party engaged by the Processor to process personal data.

## 2. Roles and Responsibilities

2.1 The Controller determines the purposes and means of processing personal data.

2.2 The Processor processes personal data only on documented instructions from the Controller unless required to do so by law.

2.3 Both parties agree to comply with applicable data protection laws, including but not limited to the General Data Protection Regulation (GDPR).

## 3. Scope of Processing

3.1 **Nature and Purpose:** The Processor processes personal data solely for the purpose of providing software development, project management, and related services as specified in the agreement.

3.2 **Duration:** Processing shall continue for the duration of the Controller's use of KeepSilent's services.

3.3 **Types of Data:** Contact information, project-related data, and other data as determined by the Controller.

3.4 **Data Subjects:** Individuals whose data is uploaded or shared on the KeepSilent platform.

## 4. Processor Obligations

**4.1 Confidentiality:** Ensure that all personnel authorized to process personal data are subject to confidentiality obligations.

**4.2 Security Measures:** Implement appropriate technical and organizational measures to protect personal data against unauthorized access, alteration, disclosure, or destruction.

**4.3 Sub-Processors:**

- Obtain the Controller's authorization before engaging any Sub-Processor.
- Ensure that Sub-Processors comply with obligations equivalent to those set out in this DPA.

**4.4 Data Subject Rights:** Assist the Controller in responding to requests from data subjects to exercise their rights (e.g., access, rectification, deletion).

**4.5 Data Breach Notification:** Notify the Controller without undue delay upon becoming aware of a personal data breach.

## 5. Controller Obligations

**5.1 Lawful Processing:** Ensure that personal data is collected and processed lawfully and that data subjects are informed about the processing.

**5.2 Instructions:** Provide clear, documented instructions to the Processor regarding the processing of personal data.

**5.3 Data Subject Requests:** Manage data subject requests in collaboration with the Processor, where applicable.

## 6. Data Transfers

**6.1** Personal data shall only be transferred outside the European Economic Area (EEA) if adequate safeguards are in place, such as Standard Contractual Clauses (SCCs) or equivalent measures.

## 7. Audits and Inspections

**7.1** The Controller has the right to conduct audits or inspections of the Processor's processing activities, subject to reasonable notice and mutual agreement on scope and timing.

**7.2** The Processor shall provide all necessary information to demonstrate compliance with this DPA.

## 8. Return or Deletion of Data

**8.1** Upon termination of services, the Processor shall, at the Controller's choice, return or securely delete all personal data, unless retention is required by law.

## 9. Liability

**9.1** Each party shall be liable for its respective obligations under this DPA and applicable data protection laws.

## 10. Amendments

10.1 This DPA may be updated to reflect changes in data protection laws or processing activities. The Controller will be notified of any material changes.

## 11. Contact Information

For questions or concerns regarding this DPA, please contact:

- **Email:** [support@keepsilent.dev](mailto:support@keepsilent.dev)
- **Phone:** +380665832642
- **Address:** Kyiv, Ukraine, Tyrasploska 47 street, office 1

By using KeepSilent's services, the Controller acknowledges and agrees to the terms outlined in this DPA.