

GENERAL DATA PROTECTION REGULATION (GDPR) FAQs

Last Updated: March 13, 2023

1. What is Autodesk doing to comply with global data protection laws?

Autodesk has made its [Privacy Statement](#) publicly available which outlines our commitment to privacy. In addition, Autodesk has programs in place to comply with the [General Data Protection Regulation \(GDPR\)](#) and other applicable data protection laws.

2. What is the Privacy Shield?

European Union (EU), and Swiss data protection laws limit the transfer of personal data outside of the EU and Switzerland to countries they deem to provide “adequate” level of protection only. The EU-U.S. and Swiss-U.S. Privacy Shield Frameworks were designed to provide companies with a mechanism to comply with data protection requirements when transferring personal data from the European Union and Switzerland to the U.S. Autodesk has certified to the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>

As of the 16th of July 2020 in its landmark judgement, the Court of Justice of the European Union (CJEU) invalidated the EU-U.S. Privacy Shield data transfer mechanism. As a result of that decision, the EU-U.S. Privacy Shield Framework is no longer a valid mechanism to comply with EU data protection requirements when transferring personal data from the EU to the U.S., and negotiations have been taking place between the U.S. and EU to find a replacement. **On March 25, US President Biden and European Commission President Von Der Leyen announced an agreement in principle on a new Trans-Atlantic Data Privacy Framework ([official statement](#)).** The details still need to be worked out, but a White House [fact sheet](#) on the Framework highlighted the following new US commitments:

Notably, the process for companies to use the Framework will be similar to the Privacy Shield. However, this has not been formally announced by either the EU or the US. Autodesk continues to monitor the development of the new Trans-Atlantic Data Privacy Framework for personal data transfers from the EU to the U.S. and intends to file under the new Framework once it is formally announced.

3. How does Autodesk comply with EU data transfer requirements?

While the CJEU invalidated the EU-U.S. Privacy Shield data transfer mechanism, it upheld the use of Standard Contractual Clauses (SCCs), and Autodesk will continue to use this legal mechanism for transferring personal data of its employees and customers from the EEA to the U.S. or any other jurisdiction as applicable.

For more information on our TIA process, please review our [data transfer whitepaper](#).

4. What are Standard Contractual Clauses?

Standard Contractual Clauses (or Transfer Clauses) is the contractual mechanism used to legitimize international data transfers from the EEA. The new Standard Contractual Clauses (SCCs) were approved by the European Commission in June 2021. Autodesk currently provide the use of this legal mechanism to its customers and has updated its Data Processing Agreement (DPA) with the new SCCs. Please see question below on how you can execute a DPA.

In response to the Schrems II ruling, Autodesk has also implemented supplementary measures in tandem with the SCCs and established the process to assess risks before transferring any personal data across borders to ensure an adequate level of protection of personal data.

Autodesk is also evaluating additional legal mechanisms for onward data transfer such as Binding Corporate Rules.

5. How Can you put in place a Data Processing Agreement (DPA)?

If customers wish to execute the DPA with Autodesk, they will need to sign the DPA and send it back to autodesk.dpa@autodesk.com. The DPA will only become legally valid on the date that the DPA has been sent back to Autodesk fully completed and signed.

6. What are Supplementary Measures?

The *Schrems II* Ruling upheld the use of Standard Contractual Clauses as a data transfer mechanism, and requires companies that wish to rely on this mechanism to implement supplementary measures in tandem with SCCs. Supplementary measures are combination of technical and administrative safeguards that can be implemented to provide data protection controls for the data transfers from the EEA.

Autodesk has implemented these measures, including encryption and review of government requests for access to data, and incorporated them into the Data Processing Agreement.

Autodesk will continue to monitor any additional guidance on supplementary measures from our Data Protection Authorities and from the EDPB.

7. What is a Transfer Impact Assessment?

Following the *Schrems II* decision, organizations around the world have begun conducting transfer impact assessments (TIA) when transferring data from the EEA to the countries that have not been deemed as adequate by the European Commission.

A TIA is a process by which companies analyze the impact upon privacy of transferring personal data from the EEA to a country outside of the EEA when data is transferred using standard contractual clauses, binding corporate rules, or other EU-approved data transfer mechanisms.

Autodesk has implemented its own TIA process for personal data transfers from the EEA. For more information on our TIA process, please review our [data transfer whitepaper](#).

8. Storage and Processing of Personal Data

Autodesk systems are global, including accounts, identity, support, access, and collaboration. Accordingly, personal data, including all identity and account data, is stored and processed in the US. Third parties may process personal data outside the US.

9. What is the GDPR?

The GDPR (General Data Protection Regulation) is an EU regulation that seeks to harmonize existing data protection laws across Europe. As the most significant data protection development in decades, the GDPR is designed to strengthen and standardize European data protection rules for the processing of personal data.

Under the GDPR, personal data is defined as any information that can lead to the identification of an individual. This includes information such as name, address, e-mail address, phone number, ID number, and credit card information.

The GDPR applies to all persons or organizations processing personal data of individuals residing in the EU, regardless of the location where the data is processed. Even companies located outside the EU will have to comply with EU data protection law.

10. What does it mean to process data?

As defined by the GDPR, processing data means any operation performed on personal data, whether or not by automated means. The definition is broad and includes a wide range of activities, such as collecting, organizing, storing, modifying, using, combining, or deleting personal data.

11. What is a data controller? Data processor?

A data controller is the person or organization that, either alone or jointly with others, determines the purposes and means of the processing of personal data. A data processor is the person or organization processing personal data on behalf of the data controller.

Autodesk acts as both a data processor and a data controller. Where we process our employee personal data, we act as a data controller. Where we provide products and services to our

customers and process personal data of individuals, we are a data processor for customer content and a data controller for other data.

12. What are individual rights under the GDPR and how will Autodesk support these rights?

A fundamental principle of the GDPR is to give individuals control over the ways in which their personal data is processed. To achieve this fundamental principle, the GDPR defines a set of individual rights and ways for individuals to exercise these rights. To comply with the GDPR, Autodesk entities processing personal data are expected to facilitate the exercising of these rights.

Briefly summarized, the rights for individuals under the GDPR include:

1. Be comprehensively informed on how Autodesk collects and uses your personal data
2. Get access the personal data Autodesk has about you
3. Have personal data rectified if inaccurate or incomplete
4. Have personal data erased (i.e., deleted) under specific circumstances
5. Restrict or object to processing of personal data under specific circumstances
6. Receive a copy of personal data (i.e., data portability)
7. Restrict or object to automated processing of personal data

13. Does the EU require the personal data of EU residents to stay in the EU?

Current EU Laws limit the transfer of personal data from the EU to countries deemed to provide an “adequate” level of data protection. The GDPR does not place any new restriction on the transfer of personal data outside the EU, nor does it require personal data to remain in the EU. However, the GDPR sets out principles for international data transfers that guarantee adequate levels of protection.

Autodesk relies on the legal mechanism of Standard Contractual Clauses which provides appropriate safeguards for international data transfers. We may introduce additional legal mechanisms regarding data transfers in due course.

14. How will Autodesk demonstrate compliance with the GDPR?

We have invested significant resources towards GDPR compliance, and we are committed to practicing transparency in how we handle personal data. Although there are currently no certifications available to demonstrate compliance with the GDPR, we conduct internal assessments to maintain our obligations under the GDPR. Further, we maintain ISO certifications for the operational environment of certain cloud products and have undergone SOC 2 compliance

audits for select cloud products. For additional information on these certifications and audits, please visit our [Trust Center](#).

15. Will Autodesk help its customers meet the requirements of the GDPR?

Autodesk offers data protection terms where we are a processor of personal data. However, it is each customer's responsibility to assess their business practices and compliance obligations under the GDPR.

16. Does Autodesk have a Data Protection Officer (DPO)?

Yes, Autodesk has appointed a DPO. The DPO works with our Data Legal and Operations teams and other data governance stakeholders to (i) monitor compliance with the GDPR and other data protection laws, (ii) review internal data protection activities, (iii) advise on data protection impact assessments, (iv) train staff, and (v) conduct internal audits.

17. Can Autodesk provide more detail about its GDPR compliance activities?

Autodesk has engaged a cross-functional GDPR team to review and implement our privacy and data protection policies and processes and any relevant agreements against the privacy background. In doing so, Autodesk is particularly focused on the following:

- **Transparency** – how we notify individuals of their privacy rights through our Privacy Statement and other disclosures.
- **Vendors** – how we engage third-party vendors, including the contractual terms we put in place and security reviews we conduct.
- **Individual Rights** – how we process individual rights requests including deletion, access, portability, and objection to processing.
- **Consents and Permissions** – how we receive consent for marketing and other purposes and how we enable individuals to provide and/or revoke their consent.
- **Security** – how we protect personal data to safeguard its confidentiality, integrity, and availability.
- **Privacy by Design** – how we implement privacy reviews and processes throughout the development lifecycle of products and services.