

The following definitions apply to all contractual documents of LucaNet.

| Term | Description |
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| Assessment basis | The assessment basis is the licence price for the entirety of <i>software</i> licensed to the Customer before any discounts granted and net of VAT (sales tax) as shown in the relevant primary contract. |
| Cloud Service | Cloud Service refers to all <i>services</i> LucaNet provides to enable the Customer to use its <i>software</i> over the Internet. These include, for example: <ul style="list-style-type: none"> • Software as a service (“SaaS”) means that the <i>Customer</i> is leasing the LucaNet software and using the <i>software</i> via the Internet • Managed server hosting (here, the <i>Customer</i> has purchased a licence with an indefinite term and <i>LucaNet</i> runs the licensed <i>software</i> on its own servers) |
| Confidential information | Confidential information is information that is classified as confidential or whose confidentiality becomes apparent from the circumstances. This includes financial, technical, commercial or legal information in particular. Moreover, this includes information that pertains to business activity, that of employees or the management as well as information that pertains to a contractual party or to a company affiliated with this party. |
| Continuing obligation | Continuing obligations are defined as permanent or recurring performances rendered over an extended period of time, e.g. <i>SaaS</i> or <i>Software Maintenance and Support</i> |
| Controller | A controller is the <i>legal entity</i> that dictates (either solely or in cooperation with others) the purposes for and means by which corresponding <i>personal data</i> is processed. |
| CT | CT is the abbreviation for the contractual terms , which are comprised of the following components: <ul style="list-style-type: none"> • <i>General Terms and Conditions</i> • <i>Terms of Licence</i> • <i>ToS</i> (Terms of Service) |
| Customer | The Customer is the party specified as <i>LucaNet’s</i> partner in the <i>primary contract</i> in question. |
| Customer data | Customer data includes all confidential data that the <i>Customer</i> transfers or otherwise makes accessible to <i>LucaNet</i> in connection with using its <i>services</i> . In addition to <i>personal data</i> , this data may comprise the trade secrets of the <i>Customer</i> or those of third parties. |
| Data protection law | Data protection law comprises the applicable legal provisions designed to protect individuals’ rights with regard to the processing of their <i>personal data</i> for the purposes of the <i>primary contract</i> . In this context, data protection law includes the <i>GDPR</i> as a minimum standard regardless of whether the <i>personal data</i> at hand is subject to the <i>GDPR</i> . |
| Data protection violation | Data protection violations include the following: <ul style="list-style-type: none"> • The inadvertent and/or unlawful destruction, modification or disclosure of the <i>Customer’s data</i> • Instances in which the <i>Customer’s data</i> is lost or made accessible to a third party in an inadvertent and/or unlawful manner • A comparable incident involving <i>personal data</i> that obligates the <i>controller</i> to notify the supervisory authority responsible or the <i>data subjects</i> in question in accordance with <i>data protection law</i>. |
| Data subject | A data subject is an identified or identifiable natural person as defined by <i>data protection law</i> . |
| End-of-Life (EOL) | End-of-Life (EOL) , the respective version of the <i>software</i> can continue in productive use but will no longer receive support from the <i>Software Maintenance and Support</i> service package. |
| EEA | EEA means the European Economic Area. |
| Feature release | Feature releases are releases that contain the provision of new or enhanced functionalities. <i>EOL</i> of these monthly versions is reached after one month, with the exception of the <i>long-term support release (LTS)</i> . |
| GDPR | The General Data Protection Regulation (GDPR) , which governs the protection of <i>personal data</i> , has taken effect throughout the EU from May 25, 2018. |
| General Availability (GA) | General Availability (GA) designates a release status indicating that the software has been released for use by the customer. |
| General Terms and Conditions | General Terms and Conditions means the General Terms and Conditions of LucaNet, which define the legal framework for the provision of services by <i>LucaNet</i> . |
| Indirect taxes | Indirect taxes include taxes, levies, charges, penalties or other taxes, e.g. VAT and withholding taxes. |
| Legal entity | A legal entity is a natural or legal person. |

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| Long-term support release (LTS) | Long-term support release (LTS) means a <i>software</i> version released in November of each year. The <i>EOL</i> is usually reached after two years. |
| LucaNet | LucaNet is the company within the LucaNet corporate group that is specified as the <i>Customer's</i> partner in the respective <i>primary contract</i> . |
| LucaNet apps | LucaNet apps are functional extensions to the standard software modules. |
| Open source software | Open source software defines third-party software for which the source code is publicly available and which is contained in the Software or otherwise delivered or made available to the customer. |
| Order processor | An order processor is a <i>legal entity</i> that processes <i>personal data</i> on behalf of a <i>controller</i> . |
| Personal data | Personal data means all information pertaining to a <i>data subject</i> protected by <i>data protection law</i> and transferred or otherwise made accessible to <i>LucaNet</i> by the <i>Customer</i> in connection with its use of <i>LucaNet's services</i> . |
| Pre-release versions | Pre-release versions are newly developed components or versions of the software that have not completed final testing and are therefore not released for productive use. |
| Primary contract | The primary contract is the agreement between <i>LucaNet</i> and the <i>Customer</i> regarding <i>LucaNet's</i> provision of its <i>services</i> to the <i>Customer</i> . |
| Professional Service | Professional Service comprises all other <i>services</i> that are not part of the <i>Cloud Service</i> , such as: <ul style="list-style-type: none"> • Consulting • Support • Custom development services • Providing software updates for the licences purchased by the <i>Customer</i> • Other services |
| Service | Services is a collective term for all activities <i>LucaNet</i> has agreed to perform based on the <i>primary contract</i> (<i>Cloud Service</i> and/or <i>Professional Service</i>). |
| Software | Software means the software components specified in further detail in the LucaNet primary contract (modules, apps and additional software components). |
| Standard data protection clauses | Standard data protection clauses mean the standard contractual clauses (<i>order processor</i>) promulgated by the EU commission and annexed to the <i>Terms and Conditions of (Commissioned) Data Processing</i> . |
| Subcontracted processor | A subcontracted processor is a company affiliated with <i>LucaNet</i> or a third party contracted by <i>LucaNet</i> to support the provision of its services. |
| Terms and Conditions of Data Processing | The Terms and Conditions of Data Processing govern how LucaNet (in the capacity of an <i>order processor</i>) processes <i>personal data</i> and other confidential customer data for the purpose of rendering the agreed performances. They include the following contractual components: <ul style="list-style-type: none"> • Terms and Conditions of (Commissioned) Data Processing • IT Security Guideline • List of Subcontracted Processors |
| Terms of License | The terms and conditions of use of the software are defined in the Terms of License . |
| ToS | ToS is the abbreviation for the Terms of Service , which are comprised of the following components: <ul style="list-style-type: none"> • Terms for Licence Purchase • Terms for Software Maintenance and Support • Terms for SaaS • Terms for Works and Services • Terms for Managed Server Hosting • Terms for Software Rental |
