



Privacy Compliance on a Global Scale: CONGA'S SUCCESS STORY

INTRODUCTION

Data protection is a key consideration in today's interconnected world, and no company understands this better than Conga. As a leading provider of contract lifecycle management (CLM) and document automation solutions, Conga demonstrates a strong commitment to privacy and data protection compliance. However, adapting to continuously evolving regulatory frameworks is a challenging task for any company.

When AppExtremes LLC DBA Conga was acquired by Apttus Corp in mid-2020, the acquisition prompted a comprehensive reevaluation of its data privacy practices and compliance obligations. This case study explores how Conga, with strategic guidance and support from VeraSafe, successfully aligned its data privacy practices, policies, and agreements to comply with evolving privacy regulations across a complex data ecosystem spanning multiple jurisdictions.

CUSTOMER PROFILE

Headquartered in Broomfield, Colorado, Conga is a B2B software solutions provider with 1,555 employees and operations spanning North America, Europe, and Asia. Its 10,000 global customers range from small and medium-sized businesses to large enterprises in a variety of industries and geographic

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COMPANY NAME

Conga

INDUSTRY

SaaS and Technology

HEADQUARTERS

United States

COMPANY SIZE

Over 1,500 employees

PRODUCT

Leading provider of contract lifecycle management (CLM) and document automation solutions.

CHALLENGES

- ▶ Evolving privacy regulations
- ▶ Multi-jurisdictional compliance
- ▶ Complex data ecosystem



locations. The company's vast network of vendors and partners contributes to a complex data ecosystem of controllers, processors, and sub-processors across multiple geographic locations.

THE CHALLENGE

In recent years, companies like Conga have been facing new and significant privacy and data protection obligations. The EU's General Data Protection Regulation (GDPR) set the stage in 2018, and many other countries adopted their own data protection laws quickly thereafter. By 2020, California adopted the California Consumer Privacy Act (CCPA), adding another layer of complexity to Conga's multi-jurisdictional compliance efforts. As anyone familiar with privacy compliance knows, it is not a check-the-box exercise and requires organization-wide adaptation and ongoing, active management.

Conga was up to the challenge, having already made substantial efforts in data protection, even without a dedicated privacy department or function. But, like many companies inside and outside the EU, it found the expansive and sometimes ambiguous aspects of the GDPR frustrating. These complexities opened the door for multiple compliance questions, encompassing topics like Data Protection Impact Assessments (DPIAs), Data Protection Officer (DPO) requirements, Schrems II implications, the adoption of 2021 EU Standard Contractual Clauses (SCCs), and legal requirements for sourcing data from third parties.

In addition, Conga's data operations had an international reach. With servers in Australia and Germany and a client base spanning the U.S., India, APAC, and Europe, it was imperative for the company to maintain up-to-date and compliant data protection measures on a global scale.

By late 2021, Conga turned to VeraSafe for guidance and support.

THE SOLUTION

1. STRATEGIC GUIDANCE AND ASSESSMENT OF LEGAL OBLIGATIONS

Conga's compliance situation was complex, stemming from its global presence, diverse SaaS products, multi-jurisdictional entities, and an intricate network of sub-processors. Additionally, the project began in a climate of evolving regulations and legal uncertainty, primarily due to the invalidation of the EU-U.S. Privacy Shield, which left a cloud of uncertainty regarding the existence of a GDPR-compliant method for transferring personal data to the U.S. In response, VeraSafe first analyzed Conga's ecosystem and compliance obligations, and then established an overarching framework to help identify compliance gaps and prioritize remediation activities. Below are just a few examples of the areas that were addressed.



Data Protection Officer (DPO) Requirements

After a comprehensive review of Conga's operational environment and data ecosystem, VeraSafe delivered an evaluation on whether Conga was legally obligated to appoint a DPO under the GDPR and German law. This assessment not only examined the legal requirements but also included tailored recommendations that aligned with Conga's specific circumstances and industry best practices. In addition, the team offered insights and guidance on a DPO's responsibilities and compliance obligations.





Navigating Schrems II

The regulatory landscape shifted during this period when the European Court of Justice declared the Privacy Shield invalid. VeraSafe prepared a Schrems II statement for Conga, outlining measures taken to comply with the Schrems II ruling, such as the implementation of an SOP for managing law enforcement requests and the security of personal data transferred to Conga, demonstrating Conga's commitment to GDPR-compliant data transfers.

VeraSafe also advised Conga on the benefits of recertifying to the Privacy Shield to facilitate a seamless transition to its replacement, the Data Privacy Framework.



Data Sourcing Partners

To help ensure compliance with the GDPR, VeraSafe assessed Conga's data sourcing partners and their processing activities. This assessment helped identify and highlight risks associated with each partner and allowed Conga to make informed decisions regarding their use.



B2B Email Marketing

VeraSafe provided guidance to the Conga marketing team on B2B email marketing requirements for 81 jurisdictions, helping to support compliant communication efforts around the world.



Sub-Processors

VeraSafe helped identify and assess sub-processors for GDPR and CCPA compliance. This included a review of security measures, audit reports, and signed, compliant Data Processing Agreements (DPAs) with each sub-processor. In addition, VeraSafe offered guidance on how to conduct Transfer Impact Assessments (TIAs) to evaluate the compliance of data transfers to current and future sub-processors, addressing concerns related to Schrems II and government access to personal data.

2. EMPOWERING LONG-TERM EFFICIENCY

Apart from addressing specific compliance questions, the VeraSafe team created templates and processes to streamline Conga's ongoing compliance efforts and maximize their internal efficiency.



Data Protection Impact Assessments (DPIAs)

VeraSafe developed a DPIA template and instructional resources to help Conga systematically assess potential risks associated with new and existing data processing activities. The team also drafted a Legitimate Interests memorandum and completed a DPIA specific to Conga's revenue intelligence platform, which included practical advice on how to deploy and leverage privacy features within the tool and protect the rights of data subjects when using it.



Data Processing Agreements (DPAs)

VeraSafe reviewed and revised Conga's customer-facing DPA templates to align with GDPR (including Schrems II considerations and the EU 2021 SCCs), CCPA, and Swiss FADP requirements. In collaboration with Conga, the team redlined and revised the DPAs, incorporating necessary provisions and transfer mechanisms for relevant jurisdictions, resulting in tailored and compliant DPAs. To address the complex challenges related to partnerships and vendor relationships, VeraSafe also helped draft tailored DPAs for specific partners and hybrid DPA templates to better accommodate various partner agreements.



Development of a Trust Center

To support the updated DPA rollout and ensure that Conga was well-prepared to address customer questions and concerns, VeraSafe provided Conga with guidance to create a non-indexed, publicly accessible resource center with updated security data sheets, a law enforcement access FAQ, and published a sub-processor list.



3. OVERFLOW SUPPORT

When the project started, the Conga team was already immersed in a myriad of privacy-related work, including updates to its privacy notices and DPAs. VeraSafe helped alleviate that workload, allowing the Conga team to focus on other tasks.



PRIVACY NOTICE UPDATES

VeraSafe helped Conga update its general privacy notice to comply with GDPR requirements, improve readability, and reflect processing operations and data disclosures. To further enhance transparency, VeraSafe created a dedicated privacy notice for call attendees, ensuring Conga meeting and event participants are well-informed about data collection and processing activities from these interactions.



CUSTOMER DPA NEGOTIATION

VeraSafe supported Conga with over 20 significant deals, reviewing DPAs offered or redlined by prospective clients to ensure alignment with GDPR and CCPA requirements while safeguarding the interests of Conga, its customers, and data subjects.



CUSTOMER QUESTIONNAIRES

VeraSafe assisted in responding to customer questionnaires, covering questions typical under a Transfer Impact Assessment (TIA) and general data protection inquiries. These responses provided customers with insights into Conga's data protection practices, helping foster trust and transparency.

SUCCESS

With strategic guidance and support from VeraSafe, Conga was able to significantly enhance its privacy posture, strengthening its data privacy practices, policies, and agreements to comply with evolving privacy regulations across a complex data ecosystem spanning multiple jurisdictions.

Conga's story is more than a mere case study in compliance; it's a testament to its commitment to data protection and privacy. Through its strategic partnership with VeraSafe, the company not only met the stringent demands of international data privacy laws but has also set a high standard for privacy compliance in the technology sector.

"Conga's compliance situation was complex. We had to navigate multi-jurisdictional entities, an intricate network of sub-processors, and a diverse range of SaaS products—all during a time of legal uncertainty."

Isabel Fernández del Campo Aguiló
Senior Privacy Advisor,
VeraSafe

