

# DATA PROTECTION

## NAME AND CONTACT OF THE PERSON RESPONSIBLE PURSUANT TO ARTICLE 4 (7) GDPR

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### *SECURITY AN PROTECTION OF YOUR PERSONAL DATA*

We consider it our primary task to maintain the confidentiality of the personal data provided by you and to protect it from unauthorized access. We therefore apply the utmost care and state-of-the-art security standards to ensure maximum protection of your personal data.

As a company under private law, we are subject to the provisions of the European Basic Data Protection Regulation (GDPR) and the provisions of the Federal Data Protection Act (BDSG). We have taken technical and organisational measures to ensure that the regulations on data protection are observed both by us and by our external service providers.

### *DEFINITIONS*

The legislator requires that personal data be processed lawfully, in good faith and in a manner understandable to the data subject ("lawfulness, fairness, transparency"). To ensure this, we inform you about the individual legal definitions of terms which are also used in this data protection declaration:

#### 1. PERSONAL DATA

"personal data" means any information relating to an identified or identifiable natural person (hereinafter referred to as 'data subject'); a natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier or one or more specific characteristics, which express the physical, physiological, genetic, psychological, economic, cultural or social identity of that person, or of a person who has been identified or has been identified, is considered to be identifiable a natural person.

#### 2. PROCESSING

"processing" means any automated process, with or without the aid of automated procedures, any operation performed or series of operations relating to personal data such as collection, recording, organisation, sorting, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or association, qualification, erasure or destruction.

### 3. LIMITATION OF PROCESSING

"Limitation of processing" means the marking of stored personal data with the aim of limiting their future processing.

### 4. PROFILING

"Profiling" means any automated processing of personal data consisting of the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular aspects relating to work performance, economic situation, health, personal preferences, to analyse or predict the interests, reliability, behaviour, whereabouts or movements of that natural person.

### 5. PSEUDONYMISATION

"pseudonymisation" means the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the provision of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures ensuring that the personal data cannot be attributed to an identified or identifiable natural person.

### 6. FILE SYSTEM

"file system" means any structured collection of personal data accessible according to specific criteria, whether centralised, decentralised or organised on a functional or geographical basis.

### 7. RESPONSIBLE PERSON

"controller" means a natural or legal person, public authority, agency or other body which alone or jointly with others decides on the purposes and means of the processing of personal data; where the purposes and means of such processing are laid down by Union law or by the law of the Member States, the controller or the specific criteria for his designation may be provided for in Union law or in the law of the Member States.

### 8. PROCESSORS

"processor" means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

### 9. RECIPIENT

"recipient" means a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not that person is a third party. However, authorities which may receive personal data under a particular investigation mandate in accordance with Union law or the law of the Member States shall not be deemed to be recipients the processing of such data by the said authorities shall be carried out in accordance with the applicable data protection rules and in accordance with the purposes of the processing.

### 10. THIRD PARTIES

"third party" means a natural or legal person, public authority, agency or any other body, other than the data subject, the controller, the processor and the persons authorised to process the personal data under the direct responsibility of the controller or the processor.

## 11. CONSENT

The data subject's 'consent' shall mean any voluntary, informed and unambiguous expression of his or her will in the particular case, in the form of a statement or other unambiguous affirmative act, by which the data subject indicates his or her consent to the processing of his or her personal data.

### *LAWFULNESS OF THE PROCESSING*

The processing of personal data is only lawful if there is a legal basis for the processing. According to Article 6 (1) lit. a - f GDPR, the legal basis for the processing can in particular be:

- a. The data subject has given his consent to the processing of his personal data for one or more specific purposes;
- b. the processing is necessary for the performance of a contract to which the data subject is a party or for the implementation of pre-contractual measures taken at the request of the data subject;
- c. the processing is necessary to fulfil a legal obligation to which the controller is subject;
- d. processing is necessary to protect the vital interests of the data subject or of another natural person;
- e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- f. processing is necessary to safeguard the legitimate interests of the controller or of a third party, except where the interests or fundamental rights and freedoms of the data subject, which require the protection of personal data, are overridden, in particular where the data subject is a child.

### *INFORMATION ON THE COLLECTION OF PERSONAL DATA*

(1) In the following we inform you about the collection of personal data when using our website. Personal data are e.g. name, address, e-mail addresses, user behaviour.

(2) When you contact us by e-mail or via a contact form, the data you provide (your e-mail address, possibly your name and telephone number) will be stored by us, to answer your questions. The data collected in this context will be deleted after storage is no longer required, or processing will be restricted if there are legal storage obligations.

### *COLLECTION OF PERSONAL DATA WHEN YOU VISIT OUR WEBSITE*

If you only use the website for information purposes, i.e. if you do not register or otherwise provide us with information, we only collect the personal data that your browser transmits to our server. If you wish to view our website, we collect the following data, which is technically necessary for us to display our website to you and to guarantee stability and security (legal basis is Art. 6 Para. 1 S. 1 lit. f GDPR):

- IP address
- Date and time of the request
- Time zone difference to Greenwich Mean Time (GMT)
- Contents of the request (concrete page)
- Access status/HTTP status code
- amount of data transferred in each case
- Website from which the request originates
- browser

- Operating system and its interface
- Language and version of the browser software.

## *USE OF COOKIES*

(1) In addition to the aforementioned data, cookies are stored on your computer when you use our website. Cookies are small text files that are stored on your hard drive assigned to the browser you are using and through which certain information flows to the location that sets the cookie. Cookies cannot execute programs or transmit viruses to your computer. They serve to make the website more user-friendly and effective.

(2) This website uses the following types of cookies, the scope and function of which are explained below:

- Transient Cookies (see a.)
- Persistent Cookies (see b.)

a. Transient cookies are automatically deleted when you close your browser. These include in particular session cookies. They store a so-called session ID, which can be used to assign various requests from your browser to the shared session. This enables your computer to be recognised when you access our website. To return session cookies are deleted when you log out or close your browser.

b. Persistent cookies are automatically deleted after a specified period, which may vary depending on the cookie. You can delete cookies at any time in the security settings of your browser.

c. You can configure your browser settings according to your wishes and, for example, refuse to accept third-party cookies or all cookies. So-called "Third Party Cookies" are cookies that are set by a third party, therefore not by the actual website you are currently on. We would like to point out that you may not be able to access these cookies through the disabling cookies may not enable you to use all the features of this site.

## *FURTHER FUNCTIONS AN OFFERS OF OUR WEBSITE*

(1) In addition to the purely informational use of our website, we offer various services that you can use if you are interested. For this purpose, you must usually provide additional personal data which we use to provide the respective service and for which the aforementioned principles of data processing apply.

(2) To some extent we use external service providers to process your data. These have been carefully selected and commissioned by us, are bound by our instructions and are checked regularly.

(3) In addition, we may pass on your personal data to third parties if we offer participation in promotions, competitions, contracts or similar services together with partners. You will receive more detailed information on this when you provide us with your personal data or below in the description of the offer.

(4) If our service providers or partners are located in a country outside the European Economic Area (EEA), we will inform you about the consequences of this circumstance in the description of the offer.

## *CHILDREN*

Our offer is basically aimed at adults. Persons under the age of 18 should not transmit any personal data to us without the consent of their parents or legal guardians.

## *RIGHTS OF THE PERSON CONCERNED*

### **(1) REVOCATION OF CONSENT**

If the processing of personal data is based on a given consent, you have the right to revoke the consent at any time. The revocation of consent does not affect the legality of the processing carried out on the basis of consent until revocation. You can contact us at any time to exercise your right of revocation.

### **(2) RIGHT OF CONFIRMATION**

You have the right to request confirmation from the person responsible as to whether we are processing personal data relating to you. You can request confirmation at any time using the above contact details.

### **(3) RIGHT TO INFORMATION**

If personal data are processed, you can request information about these personal data and about the following information at any time:

- a. the processing purposes;
- b. the categories of personal data processed;
- c. the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- d. if possible, the envisaged duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration;
- e. the existence of a right to have personal data concerning you rectified or erased or to have the processing limited by the controller or to object to such processing;
- f. the existence of a right of appeal to a supervisory authority;
- g. where the personal data are not collected from the data subject, any available information as to the source of the data;
- h. the existence of automated decision-making, including profiling, in accordance with Article 22(1) and (4) GDPR and, at least in these cases, meaningful information on the logic involved and the scope and intended impact of such processing on the data subject. Where personal data are transferred to a third country or to an international organisation, you have the right to be informed of the appropriate safeguards in accordance with Article 46 GDPR in relation to the transfer. We shall provide a copy of the personal data which are the subject of the processing. For any further copies you request, we may charge a reasonable fee based on the administrative costs. If you submit the application electronically, the information must be made available in a common electronic format, unless otherwise stated. The right to receive a copy in accordance with paragraph 3 shall not affect the rights and freedoms of any other person.

### **(4) RIGHT TO RECTIFICATION**

You have the right to demand from us immediately the correction of incorrect personal data concerning you. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

### **(5) RIGHT TO CANCELLATION ("RIGHT TO BE FORGOTTEN")**

You have the right to ask the data controller to delete personal data about you immediately and we are obligated to delete personal data immediately if any of the

following reasons apply:

- a. Personal data is not used for the purposes for which it was collected or otherwise disclosed way were processed, no longer necessary.
- b. The data subject shall revoke the consent on which the processing was based pursuant to Article 6(1)(a) or Article 9(2)(a) of the DS Block Exemption Regulation and there shall be no other legal basis for the processing.
- c. The data subject objects to the processing pursuant to Article 21(1) GDPR and there are no overriding legitimate reasons for the processing or the data subject objects to the processing pursuant to Article 21(2) GDPR.
- d. The personal data have been processed unlawfully.
- e. The erasure of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the controller is subject.
- f. The personal data have been collected in relation to information society services offered pursuant to Article 8(1) GDPR.

Where the controller has made the personal data public and is obliged to delete them in accordance with paragraph 1, he shall take reasonable measures, including technical measures, taking into account available technology and implementation costs, to inform data controllers processing the personal data that a data subject has requested them to delete all links to those personal data or copies or replications of those personal data. The right to deletion ("right to be forgotten") does not exist insofar as the processing is necessary:

- to exercise the right to freedom of expression and information;
- to fulfil a legal obligation which the processing requires under the law of the Union or of the Member States to which the controller is subject or to perform a task carried out in the public interest or in the exercise of official authority vested in the controller;
- on grounds of public interest in the field of public health in accordance with Article 9(2)(h) and (i) and Article 9(3) of the GDPR;
- for archival, scientific or historical research purposes in the public interest or for statistical purposes in accordance with Article 89(1) of the DS Block Exemption Regulation, where the law referred to in paragraph 1 is likely to render impossible or seriously prejudicial the attainment of the objectives of such processing, or to assert, exercise or defend legal claims.

## (6) RIGHT TO LIMITATION OF PROCESSING

You have the right to demand that we restrict the processing of your personal data if one of the following conditions is met:

- a. the accuracy of the personal data is disputed by the data subject for a period of time which allows the data controller to verify the accuracy of the personal data,
- b. the processing is unlawful and the data subject refuses to erase the personal data and instead requests that the use of the personal data be restricted;
- c. the controller no longer needs the personal data for the purposes of the processing, but the data subject needs them for the assertion, exercise or defence of legal rights; or
- d. the data subject has objected to the processing pursuant to Article 21(1) GDPR until it is established whether the controller's legitimate reasons outweigh those of the data subject. Where processing has been restricted in accordance with the above conditions, such personal data shall not be processed, except with the consent of the data subject or for the purpose of exercising or defending a right or protecting the rights of another natural or legal person or for reasons of an important public interest of the Union or of a Member State, apart from their storage.

In order to exercise the right to limit the processing, the data subject may at any time contact us at the above contact details.

## (7) RIGHT TO DATA TRANSFERABILITY

You have the right to receive the personal data concerning you that you have provided to us in a structured, common and machine-readable format, and you have the right to disclose such data to another responsible person without interference from the data subject to whom the personal data was provided, if any:

## (8) RIGHT OF OBJECTION

You have the right to object at any time, for reasons related to your particular situation, to the processing of personal data concerning you carried out pursuant to Article 6(1)(e) or (f) of the DS Block Exemption Regulation, including profiling based on these provisions. The controller will no longer process the personal data unless he can prove compelling legitimate reasons for the processing outweighing the interests, rights and freedoms of the data subject, or the processing is for the assertion, exercise or defence of legal claims. If personal data are processed for the purpose of direct marketing, you shall have the right to object at any time to the processing of personal data concerning you for the purposes of.

This shall also apply to profiling in so far as it is connected with such direct advertising. If you object to the processing for purposes of direct marketing, the personal data will no longer be processed for these purposes.

Notwithstanding Directive 2002/58/EC, you may exercise your right to object to the use of information society services by means of automated procedures in which technical specifications are used. You have the right, for reasons arising out of your particular situation against which you have processing of personal data concerning you carried out for the purposes of scientific or historical research or for statistical purposes as referred to in Article 89(1), unless such processing is necessary for the performance of a task carried out in the public interest or for the purposes of the processing of personal data in the public interest task is required. You can exercise your right of objection at any time by contacting the person responsible.

## (9) AUTOMATED DECISIONS ON A CASE-BY-CASE BASIS, INCLUDING PROFILING

You have the right not to be subject to any decision based solely on automated processing, including profiling, that has any legal effect on you or similarly significantly affects you. This does not apply if -the decision:

- a. for the conclusion or performance of a contract between the person concerned and is necessary for the person responsible,
- (b) is authorised by Union or national legislation to which the data controller is subject and contains appropriate measures to safeguard the rights and freedoms and the legitimate interests of the data subject; or
- c. with the express consent of the data subject.

The data controller shall take appropriate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, including at least the right to obtain the intervention of a data subject from the data controller, to express his or her views and to appeal the decision. This right may be exercised at any time by the data subject by contacting the relevant I'll turn to the person in charge.

## (10) RIGHT TO COMPLAIN TO A SUPERVISORY AUTHORITY

They shall also have the right, without prejudice to any other administrative or judicial remedy, to complain to a supervisory authority, in particular in the Member State of their residence, place of work or place of presumed infringement, if the data subject considers that the processing of the personal data concerning him or her has been carried out in breach of the law of that Member State. personal data violates this regulation.

#### (11) RIGHT TO AN EFFECTIVE JUDICIAL REMEDY

Without prejudice to any available administrative or extrajudicial remedy, including the right to appeal to a supervisory authority pursuant to Article 77 GDPR, they shall have the right to an effective judicial remedy if they consider that their rights under this Regulation have been infringed as a result of the processing of their personal data which does not comply with this Regulation.