



# Privacy Policy

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## 1 Preface

Thank you for your interest in our company. Data protection is of particular importance to the management of Hodapp GmbH & Co. KG (called "page operator" on the website).

The company Hodapp GmbH & Co. KG respects your privacy and strives to offer you a secure customer experience. We take the protection of your personal data seriously and treat your data confidentially and in accordance with the statutory data protection regulations and this data protection declaration.

With this data protection declaration we would like to inform you about which data we collect, how we process, store and securely delete this data. Furthermore, data subjects will be informed of their rights by means of this data protection declaration.

This privacy policy applies to Hodapp.

This data protection declaration was created with the help of the data protection declaration generator of the DGD Deutsche Gesellschaft für Datenschutz GmbH (<https://dg-datenschutz.de/>).

## 2 Definitions

The data protection declaration is based on the terms of the Basic Data Protection Ordinance (DS-GVO) and the Federal Data Protection Act (BDSG). The terms used are explained below:

### a) personal data

Personal data are all information relating to an identified or identifiable natural person (hereinafter "data subject"). Identifiable is a natural person who can be identified directly or indirectly, in particular by assignment to an identifier such as a name, an identification number, location data, an online identifier or one or more special characteristics that express the physical, physiological, genetic, psychological, economic, cultural or social identity of that natural person.

### b) affected individual

Data subject is any identified or identifiable natural person whose personal data are processed by the controller.

### c) processing

Processing means any operation or series of operations carried out with or without the aid of automated procedures in relation to personal data, such as the collection, collection, organisation, sorting, storage, adaptation or alteration, reading, retrieval, use, disclosure by transmission, dissemination or any other form of provision, comparison or linking, restriction, erasure or destruction.

### d) restriction of processing

Restriction of processing is the marking of stored personal data with the aim of restricting their future processing.

**e) Profiling**

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

**f) pseudonymisation**

Pseudonymisation is the processing of personal data in such a way that the personal data can no longer be assigned to a specific data subject without the use of additional information, provided that this additional information is kept separately and is subject to technical and organisational measures which ensure that the personal data are not assigned to an identified or identifiable natural person.

**g) data controller**

The data controller or controller is the natural or legal person, public authority, institution or other body which alone or jointly with others decides on the purposes and means of processing 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 appointment may be laid down in accordance with Union law or the law of the Member States.

**h) contract processor**

Processor is a natural or legal person, authority, institution or other body that processes personal data on behalf of the data controller.

**i) recipient**

Empfänger ist eine natürliche oder juristische Person, Behörde, Einrichtung oder andere Stelle, der personenbezogene Daten offengelegt werden, unabhängig davon, ob es sich bei ihr um einen Dritten handelt oder nicht. Behörden, die im Rahmen eines bestimmten Untersuchungsauftrags nach dem Unionsrecht oder dem Recht der Mitgliedstaaten möglicherweise personenbezogene Daten erhalten, gelten jedoch nicht als Empfänger.

**j) third party**

A third party is a natural or legal person, authority, institution or other body other than the data subject, the data processor, the data processor and the persons authorised to process the personal data under the direct responsibility of the data processor or the data processor.

**k) approval**

Consent shall mean any informed and unequivocal expression of will voluntarily given by the data subject in the particular case in the form of a declaration or other clear affirmative act by which the data subject indicates his or her consent to the processing of personal data concerning him or her.

## **3 Contact details of responsible persons**

### **3.1 Contact details of the responsible person**

Responsible person in the sense of the basic data protection regulation and other regulations with data protection character:

Hodapp GmbH & Co. KG

Represented by the managing director:

Peter Hodapp

Großweierer Straße 77

D-77855/Achern

Fon.: +49 7841 6006-0

Fax.: +49 7841 6006-10

E-Mail: [info@hodapp.de](mailto:info@hodapp.de)

Web : [www.hodapp.de](http://www.hodapp.de)

### **3.2 Contact details of the data protection officer**

Any person concerned may at any time address any questions or suggestions regarding data protection directly to the data protection officer named below:

Florian Hunkler

Großweierer Straße 77

D-77855/Achern

Fon.: +49 7841 6006-0

Fax.: +49 7841 6006-10

E-Mail: [datenschutz@hodapp.de](mailto:datenschutz@hodapp.de)

Web : [www.hodapp.de](http://www.hodapp.de)

## **4 Collection and processing of data**

### **4.1 General information**

The company collects, stores, processes and uses personal data collected from suppliers, customers, other business partners and interested parties. These are in particular name, address, telephone

number, email address, contact details of contact persons, customer numbers as well as order and delivery data for the purpose of initiating, establishing and processing contractual and delivery relationships (including delivery, payment and warranty).

Thus personal data are raised with the establishment of contact with customers. The data is recorded and documented for new customers for the first time when the offer is submitted. The processing is carried out for the purpose of fulfilling the contractual requirements with the customers. Processing can take place either on paper or electronically. If the customer makes use of an offer, the transmitted data will be stored for the purpose of processing the contractual relationship in compliance with the statutory provisions.

Personal data is also collected, processed and stored during procurement from suppliers. This is done for the purpose of fulfilling order processing and customer requirements.

Furthermore, data which we receive from credit agencies in accordance with legal regulations and requirements is processed for the purpose of credit assessments of our suppliers, customers and other business partners.

Personal data will not be passed on to third parties, with the exception of

- Transmission to third parties who are engaged by us for the fulfilment of contractual and delivery relationships
- Transmission to specialized service providers who provide services on our instructions and under our responsibility for us within the scope of the aforementioned purposes
- Disclosure to third parties to whom we are legally obligated
- Transfer to third parties for the fulfilment of our commercial and tax obligations

In general, recipients of personal data processed as part of the company's business activities (see previous text) are internal recipients of data as well as authorities, offices, banks and social security institutions during processing in accordance with legal and tax regulations, which is already described in the case of transfer to third parties.

Personal customer data is deleted in accordance with statutory and tax regulations (see also section 6.4).

The concrete legal bases on which the justification of processing is based can be found in Chapter 6 Justification of processing.

## 4.2 Data protection in the application process

The controller collects and processes the personal data of applicants for the purpose of processing the application procedure. Processing may also be carried out electronically. This is particularly the case if an applicant sends corresponding application documents to the controller by electronic means, for example by e-mail or via a web form on the website. If the controller concludes an employment contract with an applicant, the data transmitted will be stored for the purpose of processing the employment relationship in compliance with the statutory provisions. If the controller does not conclude an

employment contract with the applicant, the application documents shall be automatically deleted, unless there are other legitimate interests of the controller preventing such deletion. Other legitimate interest in this sense is, for example, a burden of proof in proceedings under the General Equal Treatment Act (AGG).

### 4.3 Newsletter

You can subscribe to our newsletter either by using the contact form on our website or by sending an e-mail to [newsletter@hodapp.de](mailto:newsletter@hodapp.de). The collected data are name, first name, e-mail address and company, which are used exclusively for sending the newsletter and are not transmitted to third parties. Your consent is required for the use of the above data.

Our newsletter informs by e-mail, phone or letter about current topics e.g. events, products, services of the company. You can revoke your consent at any time with effect for the future by e-mail to [newsletter-return@hodapp.de](mailto:newsletter-return@hodapp.de)

### 4.4 Profiling

As a responsible company, we do not use automatic decision making or profiling.

### 4.5 Data security

There are always risks in providing personal information, whether in person, over the phone, over the Internet or using other technologies, and no system is completely tamper-proof or hacker-proof. Hodapp takes appropriate technical and organizational precautions to prevent unauthorized access to your personal data. For example, Hodapp uses encryption and firewall technologies to collect personal data.

## 5 Company website

A use of the web pages of the site operator is basically possible without any indication of personal data. However, if a data subject wishes to make use of special services of our company via our website, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we generally obtain the consent of the data subject.

The processing of personal data, such as the name, address, e-mail address or telephone number of a data subject, is always carried out in accordance with the Basic Data Protection Regulation and in accordance with the country-specific data protection regulations applicable to the site operator.

The site operator has implemented numerous technical and organisational measures to ensure the most complete possible protection of personal data processed via this website. Nevertheless, Internet-based data transmissions can have security gaps, so that absolute protection cannot be guaranteed. For this reason, every person concerned is free to transmit personal data to us by alternative means, for example by telephone.



## 5.1 Collection of general data and information

The website of the site operator collects a series of general data and information each time a person or an automated system accesses the website. This general data and information is stored in the log files of the server. We may record (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system reaches our website (so-called referrer), (4) the subwebsites which are accessed via an accessing system on our website, (5) the date and time of access to the Website, (6) an Internet Protocol address (IP address), (7) the Internet service providers of the accessing system, and (8) other similar data and information used for security purposes in the event of attacks on our information technology systems.

When using this general data and information, the site operator does not draw any conclusions about the person concerned. Rather, this information is required to (1) correctly deliver the contents of our website, (2) optimize the contents of our website and the advertising for it, (3) ensure the permanent functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber attack.

These anonymously collected data and information are therefore evaluated statistically by the site operator on the one hand and also with the aim of increasing data protection and data security in our company in order ultimately to ensure an optimum level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by a person concerned.

## 5.2 Contact via website

Due to legal regulations, the website of the site operator contains information that enables rapid electronic contact with our company and direct communication with us, which also includes a general address for so-called electronic mail (e-mail address). If a data subject contacts the data controller via e-mail or a contact form, the personal data transmitted by the data subject will be stored automatically. Such personal data voluntarily provided by a data subject to the controller will be stored for the purpose of processing or contacting the data subject. This personal data is not passed on to third parties. At the end of the contact form you will find a so-called "checkbox" with which you give us permission to process your data in accordance with the basic EU data protection regulation by ticking the box. There you will also find a link to the data protection declaration.

## 5.3 Cookies

The website operator's website uses cookies. Cookies are text files which are stored on a computer system via an Internet browser.

Many websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This enables

the visited Internet pages and servers to distinguish the individual browser of the person concerned from other Internet browsers that contain other cookies. A particular Internet browser can be recognized and identified by its unique cookie ID.

By using cookies, the site operator can provide users of this website with more user-friendly services that would not be possible without cookies.

By means of a cookie, the information and offers on our website can be optimized for the user. Cookies enable us, as already mentioned, to recognize the users of our website. The purpose of this recognition is to make it easier for users to use our website. For example, the user of a website that uses cookies does not have to re-enter his access data each time he visits the website because this is taken over by the website and the cookie stored on the user's computer system.

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common internet browsers. If the person concerned deactivates the setting of cookies in the Internet browser used, not all functions of our Internet site may be fully usable.

## **5.4 SSL encryption**

Our site uses SSL encryption for security reasons and to protect the transmission of confidential content, such as requests you send to us as a site operator. You can recognize an encrypted connection by the fact that the address line of the browser changes from "http://" to "https://" and by the lock symbol in your browser line. If SSL encryption is activated, the data you transmit to us cannot be read by third parties.

## **5.5 Objection to advertising mails**

We hereby expressly object to the use of contact data published within the scope of the imprint obligation to send unsolicited advertising and information material. The operators of these pages expressly reserve the right to take legal action in the event of unsolicited advertising information being sent, for example by so-called "spam e-mails" or "cold calls".

## **5.6 Privacy policy for the use of Google Maps**

By using this website, you consent to the collection, processing and use of data collected automatically by Google Inc., its representatives and third parties. The terms of use of Google Maps can be found at [terms and conditions of Google Maps](#).

## **5.7 Privacy Policy for the use of Google Web Fonts**

External fonts, so-called "Google Web Fonts", are integrated and used on these Internet pages. Google Web Fonts is a service of Google Inc. the integration of these Web Fonts takes place via a server call,

usually a server of Google Inc. in the USA. This transfers to the server which website you have visited. The IP address of the calling terminal is also stored by Google Inc. Further information can be found in the Google Inc. privacy policy, which you can access here:

<https://www.google.com/fonts#AboutPlace:about> respectively <https://www.google.com/policies/privacy>

## 5.8 Use of Google Analytics and other analysis tools

We do without the "Internet data collectors" and do not want your visit to our pages to be stored and evaluated on the servers of this world.

## 5.9 YouTube

The controller has integrated components of YouTube on this website. YouTube is an Internet video portal that allows video publishers to post video clips and other users to view, rate and comment on them free of charge. YouTube allows the publication of all types of videos, which is why complete film and television programmes, music videos, trailers or videos produced by users themselves can be called up via the Internet portal.

YouTube is operated by YouTube, LLC, 901 Cherry Ave, San Bruno, CA 94066, USA. YouTube, LLC is a subsidiary of Google Inc, 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

Each time one of the individual pages of this website is accessed, which is operated by the data controller and on which a YouTube component (YouTube video) has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective YouTube component to download a representation of the corresponding YouTube component from YouTube. More information about YouTube can be found at

<https://www.youtube.com/yt/about/de/>.

In the course of this technical procedure, YouTube and Google are informed which specific subpage of our website is visited by the person concerned.

If the person concerned is logged on to YouTube at the same time, YouTube recognizes which specific subpage of our website the person concerned visits by calling up a subpage that contains a YouTube video. This information is collected by YouTube and Google and assigned to the respective YouTube account of the person concerned.

YouTube and Google receive information via the YouTube component that the person concerned has visited our website whenever the person concerned is logged on to YouTube at the same time as accessing our website; this happens regardless of whether the person concerned clicks on a YouTube video or not. If such a transmission of this information to YouTube and Google is not desired by the person concerned, this can prevent the transmission by logging out of their YouTube account before calling up our website.

The data protection regulations published by YouTube, which can be accessed at <https://www.google.de/intl/de/policies/privacy/> provide information about the collection, processing and use of personal data by YouTube and Google.

## 6 Privacy policy on the use and application of social media

### 6.1 Facebook

The data controller has integrated Facebook components on this website. Facebook is a social network.

A social network is a social meeting point operated on the Internet, an online community that usually enables users to communicate with each other and interact in virtual space. A social network can serve as a platform for the exchange of opinions and experiences or enables the Internet community to provide personal or company-related information. Facebook enables users of the social network to create private profiles, upload photos and network via friend requests.

The operating company of Facebook is Facebook, Inc. 1 Hacker Way, Menlo Park, CA 94025, USA. The person responsible for processing personal data is Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland if a person concerned lives outside the USA or Canada.

Each time one of the individual pages of this website is accessed, operated by the data controller and on which a Facebook component (Facebook plug-in) has been integrated, the Internet browser on the information technology system of the data subject is automatically prompted by the respective Facebook component to download a representation of the corresponding Facebook component from Facebook. A complete overview of all Facebook plug-ins can be found at [https://developers.facebook.com/docs/plugins/?locale=en\\_DE](https://developers.facebook.com/docs/plugins/?locale=en_DE). As part of this technical process, Facebook obtains information about which specific subpage of our website is visited by the person concerned.

If the person concerned is logged into Facebook at the same time, Facebook recognizes which specific page of our website the person concerned is visiting each time the person visits our website and for the entire duration of the person's stay on our website. This information is collected by the Facebook component and assigned by Facebook to the respective Facebook account of the person concerned. If the person concerned clicks one of the Facebook buttons integrated on our website, for example the "Like" button, or if the person concerned makes a comment, Facebook assigns this information to the personal Facebook user account of the person concerned and stores this personal data.

Facebook receives information through the Facebook component that the individual concerned has visited our website whenever the individual concerned is logged into Facebook at the same time as accessing our website, whether or not the individual clicks on the Facebook component. If the data subject does not want this information to be transferred to Facebook in this way, he or she can prevent the transfer by logging out of his or her Facebook account before accessing our website.

Facebook's published privacy policy, available at <https://de-de.facebook.com/about/privacy/>, discloses Facebook's collection, processing and use of personal information. It also explains what settings Facebook offers to protect the privacy of the person concerned. In addition, various applications are available that make it possible to suppress data transmission to Facebook. Such applications can be used by the data subject to suppress data transmission to Facebook.

## 6.2 Instagram

The data controller has integrated components of the Instagram service on this website. Instagram is a service that qualifies as an audiovisual platform that allows users to share photos and videos and also to distribute such data on other social networks.

Instagram services are operated by Instagram LLC, 1 Hacker Way, Building 14 First Floor, Menlo Park, CA, USA.

Each time one of the individual pages of this Web site is accessed, operated by the data controller and on which an Instagram component (Insta button) has been integrated, the Internet browser on the data subject's information technology system is automatically prompted by the respective Instagram component to download a representation of the corresponding Instagram component. As part of this technical process, Instagram is informed of which specific subpage of our website is visited by the person concerned.

If the person concerned is logged into Instagram at the same time, Instagram recognizes which specific page the person concerned is visiting each time the person visits our website and for the entire duration of that person's stay on our website. This information is collected by the Instagram component and assigned by Instagram to the Instagram account of the person concerned. If the data subject clicks on one of the Instagram buttons integrated on our website, the data and information transmitted is assigned to the personal Instagram user account of the data subject and stored and processed by Instagram.

Instagram receives information from the Instagram component that the person concerned has visited our site whenever they are logged into Instagram at the same time as they visit our site, regardless of whether or not they click on the Instagram component. If the data subject does not want Instagram to receive this information, they can prevent the transmission by logging out of their Instagram account before accessing our website.

For more information and to review Instagram's current privacy policies, please visit <https://help.instagram.com/155833707900388> and <https://www.instagram.com/about/legal/privacy/>

## 6.3 LinkedIn

The data controller has integrated LinkedIn Corporation components into this website. LinkedIn is an Internet-based social network that allows users to connect to existing business contacts and make new business contacts. Over 400 million registered users use LinkedIn in more than 200 countries. This makes LinkedIn currently the largest platform for business contacts and one of the most visited websites in the world.

LinkedIn is operated by LinkedIn Corporation, 2029 Stierlin Court Mountain View, CA 94043, USA. For privacy matters outside the United States, LinkedIn Ireland, Privacy Policy Issues, Wilton Plaza, Wilton Place, Dublin 2, Ireland, is responsible.

Each time a LinkedIn component (LinkedIn plug-in) is installed on our website, the LinkedIn component causes the browser used by the individual to download an appropriate representation of the LinkedIn component. More information about LinkedIn plug-ins can be found at

<https://developer.linkedin.com/plugins> . As part of this technical process, LinkedIn receives information about which specific subpage of our website is visited by the person concerned.

If the person concerned is logged in to LinkedIn at the same time, LinkedIn recognizes which specific page of our website the person concerned is visiting each time the person visits our website and for the entire duration of that person's stay on our website. This information is collected by the LinkedIn component and assigned by LinkedIn to the respective LinkedIn account of the person concerned. If the person concerned clicks on an integrated LinkedIn button on our website, LinkedIn assigns this information to the personal LinkedIn user account of the person concerned and saves this personal data.

LinkedIn always receives information through the LinkedIn component that the person concerned has visited our website if the person concerned is logged in to LinkedIn at the same time as accessing our website; this occurs regardless of whether the person concerned clicks on the LinkedIn component or not. If the data subject does not want LinkedIn to receive such information, he or she can prevent the transmission by logging out of his or her LinkedIn account before accessing our website.

At <https://www.linkedin.com/psettings/guest-controls> LinkedIn offers the possibility to unsubscribe from e-mail messages, SMS messages and targeted ads as well as to manage ad settings. LinkedIn also uses partners such as Quantcast, Google Analytics, BlueKai, DoubleClick, Nielsen, Comscore, Eloqua and Lotame who can set cookies. Such cookies may be declined at <https://www.linkedin.com/legal/cookie-policy> LinkedIn's current privacy policy can be found at <https://www.linkedin.com/legal/privacy-policy> LinkedIn's cookie policy is available at <https://www.linkedin.com/legal/cookie-policy>

## 6.4 Xing

The data controller has integrated Xing components into this website. Xing is an Internet-based social network that allows users to connect to existing business contacts and make new business contacts. Individual users can create a personal profile of themselves at Xing. Companies can, for example, create company profiles or publish job offers on Xing.

Xing's operating company is XING SE, Dammtorstraße 30, 20354 Hamburg, Germany.

Each time one of the individual pages of this website is accessed, which is operated by the data controller and on which an Xing component (Xing plug-in) has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective Xing component to download a representation of the corresponding Xing component from Xing. Further information on the Xing plug-ins can be found at <https://dev.xing.com/plugins> . As part of this technical process, Xing obtains information about which specific subpage of our website is visited by the person concerned.

If the person concerned is logged in to Xing at the same time, Xing recognizes which specific page of our website the person concerned is visiting each time the person concerned accesses our website and for the entire duration of that person's stay on our website. This information is collected by the Xing component and assigned by Xing to the respective Xing account of the person concerned. If the person

concerned activates one of the Xing buttons integrated on our website, for example the "Share" button, Xing assigns this information to the personal Xing user account of the person concerned and saves this personal data.

Xing always receives information via the Xing component that the person concerned has visited our website if the person concerned is logged in to Xing at the same time as accessing our website; this takes place regardless of whether the person concerned clicks on the Xing component or not. If the data subject does not wish to transmit this information to Xing in this way, he or she can prevent the transmission by logging out of his or her Xing account before accessing our website.

The data protection regulations published by Xing, which can be accessed at <https://www.xing.com/privacy>, provide information about the collection, processing and use of personal data by Xing. Furthermore, Xing has published data protection information for the XING Share button at [https://www.xing.com/app/share?op=data\\_protection](https://www.xing.com/app/share?op=data_protection).

## 7 Justification of processing

### 7.1 Legal basis of the processing

Art. 6 I lit. a DS-GMO serves our company as a legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party, as is the case for example with processing operations necessary for the delivery of goods or the provision of other services or consideration, the processing is based on Art. 6 I lit. b DS-GMO. The same applies to such processing processes that are necessary to carry out pre-contractual measures, for example in cases of enquiries about our products or services. If our company is subject to a legal obligation which requires the processing of personal data, for example to fulfil tax obligations, the processing is based on Art. 6 I lit. c DS-GMO. In rare cases, the processing of personal data may become necessary to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor were injured in our company and his name, age, health insurance data or other vital information had to be passed on to a doctor, a hospital or other third parties. The processing would then be based on Art. 6 I lit. d DS-GMO. Ultimately, processing operations could be based on Art. 6 I lit. f DS-GMO. Processing operations which are not covered by any of the aforementioned legal bases are based on this legal basis if processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject do not prevail. Such processing procedures are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the person concerned is a customer of the person responsible (recital 47, second sentence, DS-GMO).

## **7.2 Justified interests in processing**

If the processing of personal data is based on Article 6 I lit. f DS-GMO, our legitimate interest is to receive the performance of our business activities for the well-being of all our employees and our shareholders and the contractually owed consideration (e.g. remuneration) for our services.

## **7.3 Legal or contractual regulations for the provision of personal data**

We inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may also result from contractual regulations (e.g. information on the contractual partner). In some cases, it may be necessary for a contract to be concluded if a data subject provides us with personal data which must subsequently be processed by us. For example, the person concerned is obliged to provide us with personal data if our company enters into a contract with him/her. Failure to provide personal data would mean that the contract with the data subject could not be concluded.

## **7.4 Routine deletion and blocking of personal data**

The controller shall process and store the personal data of the data subject only for the time necessary to achieve the data retention purpose or to the extent provided for by the European regulator or other legislator in laws or regulations to which the controller is subject.

Thus, the processing takes place for the duration of the initiation and execution of a contractual or delivery relationship and for the duration of the continued existence of obligations arising from a contractual or delivery relationship, for example any warranty or product liability obligations, as well as for the duration of retention periods under commercial or tax law.

If the storage purpose ceases to apply or if a storage period prescribed by the European Directive and Regulation Giver or another competent legislator expires, the personal data is routinely blocked or deleted in accordance with the statutory provisions.

# **8 Rights of persons concerned**

## **8.1 Right of confirmation**

Every data subject shall have the right granted by the European legislator of directives and regulations to require the controller to confirm whether personal data concerning him/her are being processed. If a data subject wishes to exercise this right of confirmation, he may contact an employee of the controller at any time.

## **8.2 Right of information**

Any data subject by the processing of personal data shall have the right granted by the European legislator of directives and regulations to obtain, at any time and free of charge, information from the controller concerning the personal data relating to him/her stored and a copy of that information. Furthermore, the European regulator has granted the data subject the following information:



- the processing purposes
- the categories of personal data to be processed
- the recipients or categories of recipients to whom the personal data have been or are still being disclosed, in particular recipients in third countries or international organisations
- if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
- the existence of a right of rectification or deletion of personal data concerning him or of a restriction on processing by the controller or of a right of opposition to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: All available information about the origin of the data
- the existence of automated decision-making, including profiling in accordance with Article 22(1) and (4) DS-GMO and - at least in these cases - meaningful information on the logic involved and the scope and intended effects of such processing for the data subject. Furthermore, the data subject has a right of access to information as to whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject also has the right to obtain information on the appropriate guarantees in connection with the transfer.

If a data subject wishes to exercise this right of access, he may contact an employee of the controller at any time.

### **8.3 Right of appeal to the supervisory authority**

Pursuant to Art. 77 DSGVO, data subjects have the right to complain to a supervisory authority if there is a presumption of unlawful processing of personal data.

### **8.4 Right of rectification**

Any person data subject to the processing of personal data shall have the right granted by the European legislator of directives and regulations to request the immediate correction of inaccurate personal data concerning him/her. Furthermore, taking into account the purposes of the processing, the data subject has the right to request the completion of incomplete personal data, including by means of a supplementary declaration.

If a data subject wishes to exercise this right of rectification, he or she may contact an employee of the controller at any time.

### **8.5 Right of deletion (right to be forgotten)**

Any person concerned by the processing of personal data shall have the right granted by the European legislator of directives and regulations to require the data controller to request that the personal data

concerning him/her be deleted immediately, provided that one of the following reasons applies and insofar as the processing is not necessary:

- The personal data have been collected or otherwise processed for such purposes for which they are no longer necessary.
- The data subject withdraws his/her consent on which the processing was based pursuant to Article 6(1)(a) DS-GMO or Article 9(2)(a) DS-GMO and there is no other legal basis for the processing.
- The data subject objects to processing under Article 21(1) DS-GMO and there are no overriding legitimate grounds for processing or the data subject objects to processing under Article 21(2) DS-GMO.
- The personal data have been processed unlawfully.
- The deletion of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the data controller is subject.
- The personal data was collected in relation to information society services offered in accordance with Art. 8 para. 1 DS-GMO.

If one of the above reasons applies and a person concerned has requested the deletion of personal data, which are stored with the site operator, can be used to they contact a member of staff of the controller at any time. The employee of the site operator will arrange for the request for deletion to be complied with immediately. If the personal data have been made public by the site operator and our company as the responsible party is obliged to delete the personal data pursuant to Art. 17 para. 1 DS-GMO, the site operator shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other persons responsible for data processing who process the published personal data, that the data subject has requested the deletion of all links to this personal data or of copies or replications of this personal data from these other persons responsible for data processing, insofar as processing is not necessary. The employee of the site operator will arrange for the necessary in individual cases.

## 8.6 Right to limitation of processing

Any person data subject to the processing of personal data shall have the right granted by the European legislator of directives and regulations to require the controller to restrict the processing if one of the following conditions is met:

- The accuracy of the personal data is disputed by the data subject for a period that enables the data controller to verify the accuracy of the personal data.
- The processing is unlawful, the data subject refuses to delete the personal data and instead requests a restriction on the use of the personal data.
- The data controller no longer needs the personal data for the purposes of the processing, but the data subject needs them to assert, exercise or defend legal claims.

- The data subject has lodged an objection to the processing pursuant to Art. 21 para. 1 DS-GMO and it has not yet been determined whether the legitimate reasons of the data subject outweigh those of the data subject.

If one of the above conditions is fulfilled and a data subject wishes to request the restriction of personal data stored by the site operator, he may contact an employee of the data controller at any time. The employee of the site operator will cause the processing to be restricted.

## 8.7 Right to Data Transferability

Any data subject shall have the right granted by the European legislator to receive personal data relating to him/her provided by the data subject to a data controller in a structured, current and machine-readable format. It shall also have the right to transmit such data to another data controller without obstruction by the controller to whom the personal data have been made available, provided that the processing is based on the consent provided for in Article 6(1)(a) DS GMO or Article 9(2)(a) DS GMO or on a contract in accordance with Article 6(1)(b) DS GMO and that the processing is carried out using automated procedures, unless the processing is necessary for the performance of a task in the public interest or in the exercise of public authority conferred on the data controller.

Furthermore, in exercising his right to data transferability pursuant to Article 20(1) DS-GMO, the data subject has the right to obtain that the personal data be transferred directly by a data controller to another data controller, provided this is technically feasible and provided that the rights and freedoms of other persons are not affected thereby.

To assert the right to data transferability, the person concerned may contact an employee of the site operator at any time.

## 8.8 Right of objection

Any person concerned by the processing of personal data shall have the right granted by the European legislator for reasons arising from their particular situation to object at any time to the processing of personal data concerning them under Article 6(1)(e) or (f) of the DS-GMO. This also applies to profiling based on these provisions.

In the event of an objection, the Company will no longer process the personal data unless we can prove compelling reasons for the processing that are worthy of protection and outweigh the interests, rights and freedoms of the data subject or the processing serves to assert, exercise or defend legal claims.

If the company processes personal data for direct marketing purposes, the data subject has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling insofar as it is connected with such direct advertising. If the data subject objects to the site operator processing for direct advertising purposes, the site operator will no longer process the personal data for these purposes.

In addition, the data subject has the right to object to the processing of personal data concerning him/her for scientific or historical research purposes or for statistical purposes with the site operator

pursuant to Art. 89 para. 1 DS-GMO for reasons arising from his particular situation, unless such processing is necessary for the fulfilment of a task in the public interest.

In order to exercise the right of objection, the person concerned may directly contact any employee of the site operator or any other employee. The data subject shall also be free to exercise his right of opposition in relation to the use of information society services by means of automated procedures using technical specifications, notwithstanding Directive 2002/58/EC.

## **8.9 Automated decisions in individual cases including profiling**

Any person data subject to the processing of personal data shall have the right granted by the European legislator of directives and regulations not to be subject to a decision based exclusively on automated processing, including profiling, which has legal effect against him or significantly affects him in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is admissible under Union or Member State law to which the data controller is subject and that such law contains appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject, or (3) with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the data controller or (2) is taken with the express consent of the data subject, the site operator shall take appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject, including at least the right to obtain the intervention of a data controller, to state his own position and to challenge the decision.

If the data subject wishes to assert rights relating to automated decisions, he or she may contact an employee of the controller at any time.

## **8.10 Right to revoke consent under data protection law**

Any person concerned by the processing of personal data has the right granted by the European legislator of directives and regulations to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his/her right to withdraw his/her consent, he/she may contact an employee of the controller at any time.