



Data Protection Regulation / Privacy Regulation

This privacy statement explains the nature, scope and purpose of the processing of personal data (hereinafter referred to as "data") within our online offer and its related websites, functions and content, as well as external online presence (hereafter collectively referred to as "online offer"). With regard to the terms used, such as "processing" or "responsible", we refer to the definitions in Article 4 of the General Data Protection Regulation (GDPR).

Types of processed data

- Inventory data (eg, names, addresses).
- Contact details (eg, e-mail, telephone numbers).
- Content data (eg, text input, photographs, videos).
- Usage data (eg, visited websites, interest in content, access times).
- Meta / communication data (eg, device information, IP addresses).

Categories of affected persons

Visitors and users of the online offer (hereinafter we refer to the affected persons as "users").

Purpose of processing

Provision of the online offer, its functions and Content.

- Answering contact requests and communicating with users.
- Safety measures.
- Audience measurement / Marketing

Used terms

"Personal data" means any information relating to an identified or identifiable natural person (hereinafter the "data subject"); a natural person is considered as identifiable, which can be identified directly or indirectly, in particular by means of assignment to an identifier such as a name, to an identification number, to location data, to an online identifier (eg cookie) or to one or more special features, that express the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person.

"Processing" means any process performed with or without the aid of automated procedures or any such process associated with personal data. The term goes far and includes virtually every handling of data.

"Pseudonymisation" means the processing of personal data in such a way that the personal data can no longer be assigned to a specific data subject without additional information being provided, provided that such additional information is kept separate and subject to technical and organizational measures to ensure that the personal data not assigned to an identified or identifiable natural person.

"Responsible person" means the natural or legal person, public authority, body or body that decides, alone or in concert with others, on the purposes and means of processing personal data.

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

Relevant legal bases

In accordance with Art. 13 GDPR, we inform you about the legal basis of our data processing. Unless the legal basis in the data protection declaration is mentioned, the following applies: The legal basis for obtaining consent is Article 6 (1) lit. a and Art. 7 DSGVO, the legal basis for the processing for the performance of our services and the execution of contractual measures as well as the response to inquiries is Art. 6 (1) lit. b DSGVO, the legal basis for processing in order to fulfill our legal obligations is Art. 6 (1) lit. c DSGVO, and the legal basis for processing in order to safeguard our legitimate interests is Article 6 (1) lit. f DSGVO. In the event that vital interests of the data subject or another natural person require the processing of personal data, Art. 6 para. 1 lit. d DSGVO as legal basis.

Safety measures

We take appropriate technical measures in accordance with Art. 32 GDPR, taking into account the state of the art, the implementation costs and the nature, scope, circumstances and purposes of the processing as well as the different likelihood and severity of the risk to the rights and freedoms of natural persons and organizational measures to ensure a level of protection appropriate to the risk.

Measures include, in particular, ensuring the confidentiality, integrity and availability of data by controlling physical access to the data, as well as their access, input, disclosure, availability and separation. We have also set up procedures to ensure the enjoyment of data subject rights, data deletion and data vulnerability. Furthermore, we consider the protection of personal data already in the development, or selection of hardware, software

and procedures, according to the principle of data protection through technology design and privacy-friendly default settings (Article 25 DSGVO).

Collaboration with processors and third parties

If, in the context of our processing, we disclose data to other persons and companies (contract processors or third parties), transmit them to them or otherwise grant access to the data, this will only be done on the basis of a legal permission (eg if a transmission of the data to third parties, as required by payment service providers, pursuant to Art. 6 (1) (b) GDPR to fulfill the contract), you have consented to a legal obligation or based on our legitimate interests (eg the use of agents, webhosters, etc.).

If we commission third parties to process data on the basis of a so-called "contract processing contract", this is done on the basis of Art. 28 GDPR.

Transfers to third countries

If we process data in a third country (ie outside the European Union (EU) or the European Economic Area (EEA)) or in the context of the use of third party services or disclosure or transmission of data to third parties, this will only be done if it is to fulfill our (pre) contractual obligations, on the basis of your consent, on the basis of a legal obligation or on the basis of our legitimate interests. Subject to legal or contractual permissions, we process or have the data processed in a third country only in the presence of the special conditions of Art. 44 et seq. DSGVO. This means, for example, that the processing takes place on the basis of special guarantees, such as the officially recognized level of data protection (eg for the USA through the "Privacy Shield") or compliance with officially recognized special contractual obligations (so-called "standard contractual clauses").

Rights of data subjects

You have the right to ask for confirmation as to whether the data in question is being processed and for information about this data as well as for further information and a copy of the data in accordance with Art. 15 GDPR.

You have accordingly. Art. 16 DSGVO the right to demand the completion of the data concerning you or the correction of the incorrect data concerning you.

In accordance with Art. 17 GDPR, they have the right to demand that the relevant data be deleted immediately or, alternatively, to require a restriction of the processing of data in accordance with Art. 18 GDPR.

You have the right to demand that the data relating to you, which you have provided to us, be obtained in accordance with Art. 20 GDPR and request their transmission to other persons responsible.

You have gem. Art. 77 DSGVO the right to file a complaint with the competent supervisory authority.

Withdrawal

You have the right to grant consent in accordance with. Art. 7 para. 3 DSGVO with effect for the future

right to

You can object to the future processing of your data in accordance with Art. 21 GDPR at any time. The objection may in particular be made against processing for direct marketing purposes.

Cookies and right to object in direct mail

"Cookies" are small files that are stored on users' computers. Different information can be stored within the cookies. A cookie is primarily used to store the information about a user (or the device on which the cookie is stored) during or after his visit to an online offer. Temporary cookies, or "session cookies" or "transient cookies", are cookies that are deleted after a user leaves an online service and closes his browser. In such a cookie, for example, the content of a shopping cart in an online shop or a login status can be saved. The term "permanent" or "persistent" refers to cookies that remain stored even after the browser has been closed. For example, the login status can be saved if users visit it after several days. Likewise, in such a cookie the interests of the users can be stored, which are used for range measurement or marketing purposes. A "third-party cookie" refers to cookies that are offered by providers other than the person who manages the online offer (otherwise, if it is only their cookies, this is called "first-party cookies").

We can use temporary and permanent cookies and clarify this in the context of our privacy policy.

If users do not want cookies stored on their computer, they will be asked to disable the option in their browser's system settings. Saved cookies can be deleted in the system settings of the browser. The exclusion of cookies can lead to functional restrictions of this online offer.

A general contradiction against the use of the cookies used for the purpose of online marketing can in a variety of services, especially in the case of tracking, on the US side <http://www.aboutads.info/choices/> or the EU side <http://www.youronlinechoices.com/> be explained. Furthermore, the storage of cookies can be achieved by switching them off in the settings of the browser. Please note that not all features of this online offer may be used.

Deletion of data

The data processed by us are deleted or limited in their processing in accordance with Articles 17 and 18 GDPR. Unless explicitly stated in this privacy policy, the data stored by us are deleted as soon as they are no longer required for their purpose and the deletion does not conflict with any statutory storage requirements. Unless the data is deleted because it is required for other and legitimate purposes, its processing will be restricted. This means that the data is blocked and not processed for other purposes. This applies, for example, to data that must be kept for commercial or tax reasons.

According to legal requirements in Germany, the storage takes place in particular for 10 years according to §§ 147 Abs. 1 AO, 257 Abs. 1 Nr. 1 and 4, Abs. 4 HGB (books, records, management reports, accounting documents, trading books, relevant for taxation Documents, etc.) and 6 years in accordance with § 257 (1) no. 2 and 3, para. 4 HGB (commercial letters).

According to legal regulations in Austria the storage takes place especially for 7 years according to § 132 paragraph 1 BA0 (accounting documents, receipts / invoices, accounts, receipts, business papers, statement of income and expenses, etc.), for 22 years in connection with real estate and for 10 years in the case of documents relating to electronically supplied services, telecommunications, broadcasting and television services provided to non-entrepreneurs in EU Member States and for which the Mini-One-Stop-Shop (MOSS) is used.

Provision of our statutory and business services

We process the data of our members, supporters, prospects, customers or other persons in accordance with Art. 6 para. 1 lit. b. DSGVO, if we offer contractual services to them or act in the context of an existing business relationship, eg with members, or are themselves recipients of benefits and benefits. Incidentally, we process the data of affected persons in accordance with Art. 6 para. 1 lit. f. DSGVO on the basis of our legitimate interests, eg if it concerns administrative tasks or public relations.

The data processed, the nature, scope and purpose and necessity of their processing are determined by the underlying contractual relationship. This includes in principle inventory and master data of the persons (eg, name, address, etc.), as well as the contact data (eg, e-mail address, telephone, etc.), the contract data (eg, services used, communicated contents and Information, names of contact persons) and if we offer paid services or products, payment data (eg, bank details, payment history, etc.).

We delete data that is no longer required to serve our statutory and business purposes. This is determined according to the respective tasks and contractual relationships. In the case of business processing, we retain the data for as long as they may be relevant to the

transaction, as well as with regard to any warranty or liability obligations. The necessity of keeping the data is checked every three years; otherwise the statutory storage obligations apply.

Recording function

Users can create a user account. As part of the registration, the required mandatory information is communicated to the users and based on Art. 6 para. 1 lit. b DSGVO processed for purposes of providing the user account. The processed data include in particular the login information (name, password and an e-mail address). The data entered during registration will be used for the purpose of using the user account and its purpose.

Users may be informed by e-mail about information relevant to their user account, such as technical changes. If users have terminated their user account, their data will be deleted with respect to the user account, subject to a statutory retention requirement. It is the responsibility of the users to secure their data upon termination before the end of the contract. We are entitled to irretrievably delete all user data stored during the term of the contract.

As part of the use of our registration and registration functions as well as the use of the user account, the IP address and the time of the respective user action will be saved. The storage is based on our legitimate interests, as well as the user's protection against misuse and other unauthorized use. A transfer of these data to third parties does not take place, unless it is necessary for the prosecution of our claims or there is a legal obligation in accordance with Art. 6 para. 1 lit. c DSGVO. The IP addresses will be anonymized or deleted after 7 days at the latest.

Newsletter

With the following information we inform you about the contents of our newsletter as well as the registration, dispatch and statistical evaluation procedures as well as your right of objection. By subscribing to our newsletter, you agree to the receipt and the procedures described.

Content of the newsletter: We send newsletters, e-mails and other electronic notifications with advertising information (hereinafter "newsletter") only with the consent of the recipient or a legal permission. Insofar as the contents of a newsletter are concretely described, they are authoritative for the consent of the users. Incidentally, our newsletter contains information about our services and us.

Double opt-in and logging: Registration for our newsletter is done in a so-called double-opt-in procedure. This means you will receive an e-mail after logging in to ask for confirmation of your registration. This confirmation is necessary so that nobody can

register with external e-mail addresses. The registration for the newsletter will be logged in order to prove the registration process according to the legal requirements. This includes the storage of the login and the confirmation time, as well as the IP address. Likewise, changes to your data stored with the shipping service provider will be logged.

Credentials: To subscribe to the newsletter, it is sufficient to provide your e-mail address. Optionally, we ask you to give a name in the newsletter for personal address.

The *dispatch of the newsletter* and the related performance measurement is based on the consent of the recipient gem. Art. 6 para. 1 lit. a, Art. 7 DSGVO in conjunction with § 7 (2) no. 3 UWG or on the basis of the statutory permission pursuant to Art. § 7 Abs. 3 UWG.

The *logging of the registration process* is based on our legitimate interests in accordance with Art. 6 para. 1 lit. f DSGVO. Our interest lies in the use of a user-friendly and secure newsletter system, which serves both our business interests and the expectations of the users and also allows us to prove our consent.

Termination / Revocation - You can cancel the receipt of our newsletter at any time, ie revoke your consent. A link to cancel the newsletter can be found at the end of each newsletter. We may save the submitted email addresses for up to three years based on our legitimate interests before we delete them to provide prior consent. The processing of this data is limited to the purpose of a possible defense against claims. An individual request for cancellation is possible at any time, provided that at the same time the former existence of a consent is confirmed.

The newsletters contain a so-called „web beacon“, ie a pixel-sized file that is retrieved from the server when the newsletter is opened by our server or, if we use a shipping service provider. This call will initially collect technical information, such as information about the browser and your system, as well as your IP address and time of retrieval.

Hosting

The hosting service (1&1) we use are for the purpose of providing the following services: infrastructure and platform services, computing capacity, storage and database services, security and technical maintenance services we use to operate this online service.

Here we, or our hosting provider, process inventory data, contact data, content data, contract data, usage data, meta and communication data of customers, interested parties and visitors to this online offer on the basis of our legitimate interests in an efficient and secure provision of this online offer acc. Art. 6 para. 1 lit. f DSGVO in conjunction with Art. 28 DSGVO (conclusion of contract processing contract).

Collection of access data and log files

We, or our hosting provider, collect on the basis of our legitimate interests within the meaning of Art. 6 para. 1 lit. f. DSGVO Data on every access to the server on which this service is located (so-called server log files). The access data includes name of the retrieved web page, file, date and time of retrieval, amount of data transferred, message about successful retrieval, browser type and version, the user's operating system, referrer URL (the previously visited page), IP address and the requesting provider.

Logfile information is stored for security reasons (eg to investigate abusive or fraudulent activities) for a maximum of 7 days and then deleted. Data whose further retention is required for evidential purposes shall be exempted from the cancellation until final clarification of the incident.

This translation from German has been made to best practice and knowledge, but in any case of doubt the German version (http://www.nesacademy.org/DataProtectionRegulation_DE.pdf) is legally binding.

Created with Datenschutz-Generator.de by RA Dr. med. Thomas Schwenke