

DATA PROTECTION NOTICE FOR CUSTOMERS AND BUSINESS PARTNERS ACCORDING TO ARTICLE 13 GDPR

Dear business partners,

The protection of your personal data is of great importance to us. This privacy notice informs you about the processing of personal data within the scope of a business relationship with us as well as your rights in connection with such data processing. Please also make this privacy notice available to your employees.

1. Controller:

Responsible for the processing of your personal data:

Eucon GmbH
Martin-Luther-King-Weg 2
48155 Münster

2. Data Protection Officer:

You can contact our data protection officer at the above postal address indicating "To the data protection officer" or at the e-mail address below: datenschutz@eucon.com.

3. Which data do we process?

We process personal data that you voluntarily disclose to us in the course of our business relationship. This includes the following data or categories of data:

- Master data (e.g. title, last name, first name, e-mail address, position, company, telephone number, fax number, address)
- Bank details (e.g. IBAN, BIC)
- Tax identification number
- Business transaction data
- Data obtained in the context of access control (e.g. name, address, company, date of visit, contact person)
- Query of food intolerances, eating habits (vegetarian, vegan)
- Land register entries and guarantees, purchase prices for real estate, tax data
- Declarations of data protection law (declaration of consent to the processing of personal data; declarations of revocation of any consent you may have given; declarations of objection to the processing of personal data; declarations of assertion of your rights to information, correction, deletion, restriction of processing, data portability including the information that you provide to us when asserting your rights)
- Jira: User data (user ID, name, contact data, IP address), supplier data, customer data, in case of malfunction: application, malfunction, content of the request, status of the request, description of the solution.
- Vehicle data (e.g. chassis number, registration number, Federal Motor Transport Authority (KBA) number, registration data, vehicle identification number and insurance policy number).

In the event that we invite you to work with us using our M365 solutions and you actually make use of these services, the following categories of data will be processed in M365:

- M365 username,
- identification features, authentication data, usage data, IP address, personal data created or stored in the M365 portal (such as text, audio, video and image files).

4. What purpose do we process your data for and on which legal basis?

We use your data for the purpose of initiating, concluding and executing a contract, answering enquiries and for invoicing and managing payments made or received. We process your data for the purpose of conducting and organizing events. In addition, we use your data for accounting processes and use the communication data provided by you for contract-related communication. The legal basis for this processing is subsection (b) of Article 6 (1) GDPR.

In addition, we use your data to inform you by post about our products/services within the scope of legal permissibility. Furthermore, we use your e-mail address for product recommendations if you have already ordered from us. You receive these product recommendations irrespective of whether you have subscribed to a newsletter. In doing so, we aim to provide you with information about products from our range that may be of interest to you based on your recent purchases from us. We may also use your telephone number to provide you with recommendations and information about our products and services by telephone, whereby we shall naturally comply with the legal requirements in this respect. We also process your data in order to send you invitations to trade fairs and events. The legal basis for this is subsection (f) of Article 6 (1) GDPR, which serves our legitimate interest in conducting direct marketing and in advertising and selling our products and services. In doing so, we strictly comply with the legal requirements. If you no longer wish to receive product recommendations or promotional communications in general, you may object to this at any time. A notification in text form to the contact data mentioned in section 1. (e.g. e-mail, fax, letter) shall suffice for this purpose.

Otherwise, we shall only inform you by telephone or e-mail with your consent on the basis of subsection (a) of Article 6 (1) GDPR. Furthermore, we use your data for market and opinion research as well as customer satisfaction surveys. This is also based on subsection (a) of Article 6 (1) GDPR.

In addition, we use the data for the purpose of access control to the company premises. Here, too, the legal basis is subsection (f) of Article 6 (1) GDPR. The legitimate interest in this context is to ensure authorized access to the company premises.

We may process your data for our event management (organization and implementation) and travel organization (it may be necessary for us to request additional personal data from the participants (e.g. date of birth, nationality, possibly private address, passport number, etc.) and use this for process the purposes of travel organization). The legal basis for data processing is Article 6 Paragraph 1 Letter f GDPR and Article 6 Paragraph 1 Letter b GDPR.

We use M365 for the joint exchange of data, to be able to act and communicate collectively, to conduct telephone conferences, online meetings, video conferences and/or webinars. The legal bases for this are subsections (b) and (f) of Article 6 (1) GDPR, whereby the legitimate interest is to be able to exchange common data, to be able to act and communicate collectively.

We use the ticketing system Jira Service Desk by the provider Atlassian for our task management. Every user among our customers receives an account for Eucon's own ticketing system in the form of an e-mail address. Each ticket request is sent via the user's own e-mail address. We base the processing of your data within the ticketing system on subsection (f) of Article 6 (1) GDPR. The legitimate interest is to exchange information and to be able to act and communicate collectively.

In addition, we process your data to fulfill legal obligations (e.g. accounting processes, consent, objection and data subject rights management, security check, Art. 6 Para. 1 S. 1 lit. c GDPR).

5. Who receives the data?

Your data will be forwarded to the responsible employees within our group of companies for the aforementioned purposes (sentence 1 of subsection (b) of Article 6 (1) GDPR). Data will only be forwarded to third parties outside our group of companies if this is necessary for contract processing or billing, if you have given your consent or if there is a legal basis or obligation to do so.

To the extent that services of third parties (so-called processors) are used by us for the execution and handling of processing operations, the provisions of the GDPR are complied with. Service providers who assist us in providing our services to you are:

- Hosting providers,
- E-mail service providers,
- IT service providers,
- Software (SaaS) providers,
- Accounting service providers, and document destruction service providers,
- Sales and marketing partners,
- Newsletter distribution services,
- Invoice digitization.

We disclose personal data to the following third parties who process personal data under their own responsibility (so-called controllers, cf. Article 4 (7) GDPR) within the scope of legal permissibility and necessity:

- Auditors
- Authorities
- Tax consultants
- Lawyers
- Postal and delivery services
- Trade fair organizers
- Insurance companies

When contracting M365, we issued the instructions that the processed data must be stored in the EU as a matter of principle. A transfer to third countries through the commissioning of processors and third parties cannot be excluded when using M365. In such a case, we have taken appropriate precautions to protect your data.

The Jira Service Desk software is operated exclusively on our servers. All data is stored exclusively on our servers. Via our Service Desk, we only process the data that is required to process the respective request or task. Your data shall be forwarded to the responsible employees within our group of companies for the aforementioned purposes (subsection (f) of Article 6 (1) GDPR). Your data is not forwarded to third parties.

6. Storage of data

We process your personal data only for as long as is necessary to fulfill the respective processing purpose.

In addition, we are governed by various retention and documentation obligations, which result, among other things, from the German Commercial Code (HGB) or the German Fiscal Code (AO). These can amount to up to ten full years.

Finally, the storage period is also assessed according to the statutory limitation periods, which can be up to thirty years, for example, according to Sections 195 et seqq. of the German Civil Code (BGB), whereby the regular limitation period is three years.

7. Your rights

Every data subject has the right to information pursuant to Article 15 GDPR, the right to rectification pursuant to Article 16 GDPR, the right to erasure pursuant to Article 17 GDPR, the right to restriction of processing pursuant to Article 18 GDPR and the right to data portability pursuant to Article 20 GDPR. In order to exercise the aforementioned rights, you can contact the offices listed in section 1.

In case you have granted us consent for data processing, you can revoke this consent at any time without any formalities, whereby the processing carried out until then remains lawful. For this purpose, you can contact the offices listed in section 1.

In accordance with Article 21 GDPR, you have the right to object to any processing based on the legal basis of sentence 1 of subsection (e) or (f) of Article 6 (1) GDPR. In case we process personal data about you for the purpose of direct marketing, you may object to this processing pursuant to Article 21 (2) and (3) GDPR.

In addition, you have the right to lodge a complaint with a data protection supervisory authority (Article 77 GDPR).