

INFORMATION OBLIGATIONS ACCORDING TO ART. 13 GDPR

We hereby wish to inform you extensively about the processing of your data in our company and the data protection claims and rights to which you are entitled within the meaning of Art. 13 of the European Data Protection Basic Regulation (EU DS-GVO).

1. Who is responsible for data processing and who can you contact?

The party responsible is

Motus Online Service GmbH

Kumpfmühler Str. 30

93051 Regensburg, Germany

The Company Data Protection Officer is

Christian Volkmer

Projekt 29 GmbH & Co. KG

Ostengasse 14

93047 Regensburg, Germany

Email: c.volkmer@projekt29.de

Tel.: +49 941-2986930

2. Which data is processed and from which sources does this data originate?

We process the data which we have received from you within the framework of contract initiation or processing, on the basis of consent or the application you submitted to us or on the basis of the fact that you are a member of our staff.

The personal data includes:

Your master/contact data, which for **customers** includes, for example, the first and last name, address, contact data (email address, telephone number, fax), bank data, VAT ID number.

For **applicants and employees** this includes, for example, the first and last name, address, contact data (email address, telephone number, fax), date of birth, data from the curriculum vitae and job references, bank data, religious affiliation, photographs.

For **business partners** this includes, for example, the designation of their legal representatives, firm, commercial register number, VAT number, company number, address, contact person contact data (email address, telephone number, fax), bank details.

For **visitors** to our company this includes their name and signature.

For **journalists** this includes their first and last name, email address, fax number.

For **competition participants** this includes the first name, surname and email address.

In addition, we also process the following other personal data:

- information on the type and content of contract data, order data, turnover and document data, customer and supplier history and consultation documents,
- advertising and sales data,
- information from your electronic transactions with us (e.g. IP address, log-in data),

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- other data which we have received from you within the context of our business relationship (e.g. in discussions with customers),
- data which we generate ourselves from master/contact data and other data, e.g. through customer requirement and customer potential analyses,
- the documentation of your declaration of consent for the receipt of newsletters, for example.
- Photographs associated with events.

3. For which purposes and on which legal basis is the data processed?

We process your data in accordance with the provisions of the Data Protection Basic Regulation (DS-GVO) and the Federal Data Protection Act 2018, as amended:

- **to fulfil (pre-)contractual obligations (Art. 6, para. 1 (b) DS-GVO):**
The processing of your data for the execution of the contract is carried out online or in one of our branches and at our company for the execution of the contract relating to your membership of our staff. The data is processed in particular during the initiation of business transactions and the execution of the contracts with you.
- **to fulfil legal obligations (Art. 6, para. 1 (c) DS-GVO):**
The processing of your data is necessary for the purpose of fulfilling different legal obligations, e.g. from the Commercial Code or Tax Code.
- **for the protection of legitimate interests (Art. 6, para. 1 (f) DS-GVO):**
On the basis of a weighing of interests, data processing can be carried out beyond the actual fulfilment of the contract in order to safeguard the legitimate interests of ourselves or third parties. Data processing to safeguard legitimate interests is carried out in the following cases, for example:
 - advertising or marketing (see no. 4),
 - measures for business management and the further development of services and products;
 - maintaining a group-wide customer database to improve customer service
 - in connection with legal proceedings
 - the submission of information and press releases which do not promote sales.
- **within the scope of your consent (Art. 6, para. 1 (a) DSGVO):**
If you have given us your consent to process your data, e.g. to send you our newsletter, publish photos, competitions, etc.

4. Processing of personal data for advertising purposes

You may object at any time to the use of your personal data for advertising purposes overall or for individual measures without incurring any costs for this other than the transmission costs according to the basic tariffs.

We are entitled under the legal requirements of Section 7, para. 3 of the German Act on Unfair Competition (UWG) to use the email address you provided when concluding the contract for direct advertising for our own similar goods or services. You will receive these product recommendations from us irrespective of whether you have subscribed to a newsletter or not.

If you do not wish to receive such recommendations by email from us, you can object to the use of your address for this purpose at any time without incurring any costs other than the transmission costs according to the basic tariffs. A text message is sufficient for this purpose. There is of course an unsubscribe link in every email.

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5. Who receives my data?

If we use a service provider for the purposes of order processing, we nevertheless remain responsible for the protection of your data. All contract processors are contractually obliged to treat your data confidentially and to process it only within the scope of the service provision. The contract processors commissioned by us will receive your data insofar as they require the data for the performance of their respective service. These are, for example, IT service providers that we need for the operation and security of our IT system, as well as advertising and address publishers for our own advertising campaigns.

Your data is processed in our customer database. The customer database supports the improvement in the quality of the existing customer data (duplicate cleansing, moved away/deceased tags, address correction) and enables enrichment with data from public sources.

This data is made available to the group companies if this is necessary for the execution of the contract. Customer data is stored separately for each company, with our parent company acting as a service provider for the individual participating companies.

If there is a legal obligation or within the context of a legal prosecution, public authorities and courts as well as external auditors may be recipients of your data.

Furthermore, insurance companies, banks, credit agencies and service providers may be recipients of your data for the purpose of initiating and fulfilling contracts.

6. How long will my data be stored?

We process your data until the termination of the business relationship or until the expiry of the applicable statutory retention periods (for example from the German Commercial Code, the Tax Code or the Working Hours Act); additionally, until the termination of any legal disputes in which the data is required as evidence.

7. Is personal data transferred to a third country?

As a matter of principle, we do not transfer any data to a third country. Any transfer will only take place in individual cases on the basis of an adequacy decision of the European Commission, standard contractual clauses, appropriate safeguards or your express consent.

8. What data protection rights do I have?

You have a right to information, rectification, erasure or restriction of the processing of your stored data, a right of objection to the processing as well as a right to data portability and a right to complain in accordance with the requirements of data protection law.

Right to information:

You can request information from us concerning whether and to what extent we process your data.

Right to rectification:

If we process your data that is incomplete or incorrect, you can request that we rectify or complete such data at any time.

Right to erasure:

You can request that we erase your data if we process it unlawfully or if the processing interferes disproportionately with your legitimate protection interests. Please note that there may be reasons that prevent immediate erasure, e.g. in the case of legally regulated retention obligations.

Irrespective of the exercising of your right to erasure, we will erase your data immediately and completely, unless there is a contractual or legal obligation to retain it.

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The right to limitation of processing:

You may request that we restrict the processing of your data if

- you dispute the accuracy of the data, namely for a period of time that enables us to verify the accuracy of the data.
- the processing of the data is unlawful, but you refuse to have it erased and instead request a restriction on the use of the data,
- we no longer need the data for the intended purpose, but you still need this data to assert or defend legal claims, or
- you have lodged an objection to the processing of the data.

Right to data portability:

You may request us to provide you with the data you have made available to us in a structured, current and machine-readable format and to allow you to forward this data to another responsible party without our interference, provided that

- we process this data on the basis of an agreement which you have submitted and which is revocable or in order to fulfil a contract between us, and
- this processing is carried out using automated methods.

If it is technically feasible, you can ask us to transfer your data directly to another responsible party.

Right of objection:

If we process your data on the basis of a legitimate interest, you can object to this data processing at any time; this would also apply to any profiling which is based on these provisions. We will then no longer process your data unless we can prove compelling reasons worthy of protection for the processing that outweigh your interests, rights and freedoms or the processing serves to assert, exercise or defend legal claims. You can object to the processing of your data for the purposes of direct advertising at any time without stating any reasons.

Right of appeal:

If you are of the opinion that we are infringing German or European data protection law when processing your data, please contact us so that we can clarify any questions. Of course you also have the right to contact the supervisory authority which is responsible for you, i.e. the respective State Office for Data Protection Supervision.

If you wish to assert any of the above rights against us, please contact our Data Protection Officer. In cases of doubt we may request additional information to confirm your identity.

9. Am I obliged to provide data?

The processing of your data is necessary to conclude or fulfil your contract with us. If you do not provide us with this data, we will generally have to refuse to enter into the contract or will no longer be able to perform an existing contract and will therefore have to terminate it. However, you are not obliged to give your consent to data processing with regard to data which is not relevant for the fulfilment of the contract or which is not required by law.