

# Data protection information for customers and prospects

## according to Art. 13 and 14 of the General Data Protection Regulation (GDPR)

Data protection is an important issue in our company. In the following, we will inform you about how we process your data and what rights you have.

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

Synapticon GmbH  
Daimlerstraße 26  
71101 Schönaich

Managing Director: Nikolai Ensslen

E-mail: [info@synapticon.com](mailto:info@synapticon.com)

### 2. Contact details of the data protection officer

Bernd Knecht  
Rotdornweg 7  
73230 Kirchheim /Teck

E-mail: [datenschutz@synapticon.com](mailto:datenschutz@synapticon.com)

### 3. Processing purposes and legal basis

Your personal data is processed according to the provisions of the General Data Protection Regulation (GDPR), the German Data Protection Adaptation and Implementation Act (Datenschutz-Anpassungs- und Umsetzungsgesetz EU (DSAnpUG-EU)) and other relevant data protection regulations. The processing and use of the individual data depends on the arranged or commissioned service. Our contractual documents, forms, declarations of consent and other information provided to you (e.g., on the website) can provide you with additional details and information on the processing purposes.

#### 3.1 Consent (Art. 6 Sect. 1 lit. a) GDPR)

If you have granted consent for the processing of your personal data, the respective consent is the legal basis of the processing specified there. You can revoke this consent at any time with future effect.

#### 3.2 Fulfilment of contractual obligations (Art. 6 Sect. 1 lit. b) GDPR)

We process your personal data for the execution of our contracts with you, especially within the scope of the order recording, production, delivery and invoicing of our products. In addition, your personal data is processed to perform measures and activities within the scope of precontractual relationships, such as the preparation of quotations.

#### 3.3 Fulfillment of legal obligations (Art. 6 Sect.1 lit. c) GDPR)

We process your personal data if this data is required for the fulfilment of contractual obligation (e.g., commercial or tax law).

In addition, we process your data for the fulfilment of monitoring and reporting obligations and the archiving of data for data protection purposes and data security, as well as auditing by tax offices and other public authorities. In addition, the disclosure of personal data may be required within the scope of official/legal measures for the purpose of evidence collection, criminal prosecution or the enforcement of civil law claims.

#### 3.4 Legitimate interest of our company or of third parties (Art. 6 Sect. 1 lit. f) GDPR)

We can also use your personal data on the basis of the consideration of safeguarding a legitimate interest of our company or of a third party. This occurs for the following purposes:

- Advertising or market research insofar as you have not objected to the use of your data
- The obtaining of information and data exchange with credit agencies if the conclusion of the contract exceeds our economic risk

- The limited storage of your data if a deletion is not possible or possible only with disproportionately high time and effort due to the specific storage method used.
- Assertion of legal claims and defence in case of legal disputes that are not directly related to the contractual relationship
- The safeguarding and assertion of our domiciliary right with corresponding measures (e.g., video surveillance).

#### **4. Categories of personal data processed by our company**

The following data is processed:

- Personal data (name, profession/position in company/industry and comparable data)
- Contact details (address, e-mail address, telephone number and comparable data)
- Confirmation of payment/coverage in the case of debit and credit cards
- Customer history

We also provide personal data from public sources (e.g., Internet, media, press, commercial, association and civil registers).

If required for the rendering of our services, we process personal data that we receive from third parties (e.g., directory publishers, credit agencies).

#### **5. Who receives your data?**

We pass on your personal data to all departments in our company that require this data for the fulfilment of contractual and legal obligations and/or for the implementation of our legitimate interests.

In addition, the following bodies can obtain your data:

- Any processors we use (Art. 28 GDPR), service providers for supporting activities and additional responsible parties within the scope of the GDPR, especially in the following areas:  
IT service providers, logistics, courier services, printing services, external computer centres, support/maintenance of IT applications, archiving, document processing, bookkeeping and cost accounting, data destruction, purchasing/procurement, customer management, letter shops, marketing, telephony, website management, tax consultancy, auditing services, credit institutions
- Public bodies and institutions in case of a legal or official to provide information or report or pass on data or in which passing on data lies in the public interest
- Bodies and institutions based on our legitimate interest or the legitimate interest of a third party (e.g., public authorities, credit agencies, collection agencies, lawyers, courts, appraisers and supervisory bodies)
- Other bodies for which you have granted us your consent for the transmission of data

#### **6. Transmission of your data to a third-party country or international organisation**

Data processing outside of the European Union or European Economic Area does not take place.

#### **7. How long do we store your data?**

If required, we process your personal data for the duration of our business relationship, including the initiation and settlement of a contract.

In addition, we are subject to various storage and documentation obligations arising from the German Commercial Code (Handelsgesetzbuch (HGB)) and German Fiscal Code (Abgabenordnung (AO)). The time periods specified therein for storage or documentation extend to 10 years beyond the end of the business relationship or the precontractual legal relationship.

Ultimately, the storage duration is also assessed according to the legal statute of limitation, which is usually three years according to §§ 195 ff. of the German Civil Code (Bürgerliches Gesetzbuch (BGB)), but can extend to thirty years in certain cases. Contractual agreements can also form the basis for determining the storage periods.

#### **8. To what extent does an automatic decision-making process take place in individual cases (including profiling)?**

We do not use a purely automatic decision-making process according to Article 22 GDPR. If we use such a process in individual cases, we will inform you separately insofar as legally required.

#### **9. Your data protection rights**

##### **9.1 Information**

You can demand information from us as to whether we process your personal data. Insofar as the right to information is not excluded in your case (for example, due to legal regulations) and we process your personal data, you can obtain information on the following data:

- Purposes of processing
- Categories of personal data from you that we process
- Recipients or categories of recipients to which your personal data is disclosed, especially recipients in third-party countries
- If possible, the planned duration of the storage of your personal data or, if this is not possible, the criteria for determining the storage duration
- The existence of a right to the correction or deletion of your personal data, the right to a limitation of processing of your personal data or a right to revocation of this processing
- The existence of a right to complain to a supervisory body for data protection
- Insofar as the personal data was not collected from you as the affected person, the available information on the origin of the data
- If pertinent, the existence of an automatic decision-making process, including profiling and expressive information on the logic involved and the scope and targeted effect of automatic decision-making processes
- If pertinent, in case of transmission to third-party countries insofar as no decision of the EU Commission on the appropriateness of the level of protection according to Art. 45 Sect. 3 GDPR exists, information on which suitable guarantees have been provided for the protection of personal data according to Art. 46 Sect. 2 GDPR.

## **9.2 Correction and completion**

If you determine that we have incorrect personal data on you, you can demand that we correct this incorrect data immediately. If the personal data we have on you is incomplete, you can demand a completion of this data.

## **9.3 Deletion**

You have a right to deletion (“right to be forgotten”) insofar as the processing of this data is not required for exercising the right to freedom of expression, the right to information or fulfilment of a legal obligation or performance of a task that lies in the public interest and one of the following grounds applies:

- Your personal data is no longer required for the purposes for which it was processed.
- The sole foundation for the justification for processing was your consent, which you have revoked.
- You have submitted an objection to the processing of your personal data that we have published.
- You have submitted an objection to your personal data that we have not made public and there is no overriding legitimate grounds for processing.
- Your personal data was unlawfully processed.
- The deletion of personal data is required for the fulfilment of a legal obligation to which we are subject

There is no right to deletion when deletion is not possible or only possible with great expense in case of legal, non-automatic data processing due to the specific method of storage and you have little interest in deletion. In this case, the limitation of use applies instead of a deletion.

## **9.4 Limitation of processing**

You can demand a limitation of processing from us if one of the following reasons applies:

- You dispute the correctness of the personal data. In this case, the limitation can be demanded for the period in time we require to check the correctness of the data.
- The processing is unlawful and you demand the limitation of the use of your personal data instead of deletion.
- We no longer require your personal data for the purpose of processing, but you require it to assert claims or exercise or defend legal claims.
- You have submitted an objection according to Art. 21 Sect. 1 GDPR. - You have submitted an objection according to Art. 21 Sect. 1 The limitation of processing can be demanded as long as it has not yet been determined that our legitimate interest has priority over your grounds.

A limitation of processing means that the personal data may be processed only with your consent or for the assertion, exercise or defence of legal claims or for the protection of rights against other natural or legal persons or for reasons of an important public interest. Before we overturn the limitation, we have the obligation to inform you of this circumstance.

## **9.5 Data transferability**

You have a right to data transferability insofar as processing takes place with your consent (Art. 6 Sect. 1 Clause 1 lit. a) or Art. 9 Sect. 2 lit. a) GDPR) or is based on a contract of which you are a contracting party and processing takes place using automated methods. In this case, the right to data transferability includes the following rights insofar as the rights and freedoms of other people are not adversely affected: You have the right to obtain any personal data you have provided to us in a structured, common, machine-readable format. You have the right to transfer this data to another party responsible without any obstruction on our part. If technically feasible, you can demand that we transfer your personal data directly to another responsible party.

## **9.6 Objection**

For reasons arising from your particular situation, you have the right to object to any processing of your personal data that takes place on the basis of Art. 6 Sect. 1 Clause 1 lit. e) GDPR (performance of a task in the public interest or in the exercise of official authority or Art. 6 Sect. 1 Clause 1 lit. f) GDPR (legitimate interest of the party responsible or a third party. This also applies to any profiling based on Art. 6 Sect. 1 Clause 1 lit. e) or f) GDPR. If you exercise your right to object, we will no longer process your personal data unless we can prove we have compelling legitimate grounds for processing that are absolutely worthy of protection and that have priority over your interests, rights and freedoms or unless the processing of this data serves the assertion, exercise or defence of legal claims.

We possibly also process your personal data to engage in direct advertising. If you do not wish to receive advertising, you can object to any processing of your personal data for the purpose of direct advertising at any time. This also applies to any profiling connected to such direct advertising. After the assertion of this right to object, we will no longer use the respective personal data for the purpose of direct advertising.

You can inform us of your objection informally by telephone, e-mail or fax or by letter to the postal address of our company found at the beginning of this data protection declaration.

## **9.7 Revocation of consent**

You have the right to revoke previously granted consent at any time with future effect. The revocation of consent can take place informally by telephone, e-mail or fax or by letter to our postal address. Through the revocation of consent, the legality of any data processing performed based on the previous consent granted up to the point the revocation of this consent is not affected. After the revocation is received, any data processing based solely on your consent will be stopped.

## **9.8 Complaints**

If you are of the opinion that the processing of your personal data is illegal, you can complain to the supervisory body for data protection that is responsible for your place of residency, your place of employment or the place of the supposed violation. The supervisory body that is responsible for our operations is as follows:

State Data Protection and Freedom-of-Information Officer  
Königstrasse 10 a  
70173 Stuttgart

## **10. Scope of your obligation to provide us with your data**

You must provide only the personal data that is legally required for the assumption and execution of a business or precontractual relationship or that we are legally obligated to collect. Without the provision of this data, we are generally not able to conclude or execute a contract. This is also the case for data that may later be required within the scope of the business relationship. Insofar as we also request data from you, you will be specifically reminded that this provision of data is voluntary.

## **11. Status and updating of this data protection declaration**

This data protection declaration is applicable as of 25 May 2018. We reserve the right to update the data protection declaration whenever necessary to improve data protection and/or adapt to changed institutional practice or jurisprudence.