

## Data Protection Notice

Our handling of your data and your rights

– Information pursuant to articles 13, 14 and 21 of the General Data Protection Regulation (GDPR) –

Dear Customer,

We are writing to inform you about how we process your personal data and the claims and rights you are entitled to in accordance with the data protection regulations.

Which pieces of data are processed and the way in which they are used depends largely on the services you have requested and agreed to.

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

Contact details for the Controller:

Schramm GmbH  
Flinschstraße 18a  
60388 Frankfurt am Main  
Tel.: +49 69 42007 0  
Email: [datenschutz@schramm-gmbh.de](mailto:datenschutz@schramm-gmbh.de)

Contact details for the Data Protection Officer:

Aysegül Kalkan (LL.M.)  
c/o GenoTec GmbH  
Wilhelm-Haas-Platz  
63263 Neu-Isenburg  
Tel.: +49 69 6978 3324  
Mobile: +49 172 2677142  
Email: [ayseguel.kalkan@geno-tec.de](mailto:ayseguel.kalkan@geno-tec.de)

## 2. Which sources and data do we use?

We process personal data that we receive from you in the context of our business relation. In addition, to the extent necessary for the provision of our services, we process personal data that we have obtained permissibly (e.g. for the completion of orders, fulfilment of contracts or on the basis of your consent) from other companies or from other third parties (e.g. suppliers). We also process personal data from open sources (e.g. debtor records, the German Federal Gazette, the commercial register and association register, the press, the media) that we have gained permissibly and are entitled to process.

Relevant personal data include personal details (name, address and other contact details, date and place of birth and nationality). In addition, this may also include order data (e.g. payment order), data from the fulfilment of our contractual obligations (e.g. account data, product data), information about your financial situation (e.g. Federal Gazette, information on credit reform), advertising and sales data, documentation data (e.g. record of advice), data about your use of the telemedia we offer (e.g. at what times you access our website, pages or entries you click on) as well as other data similar to the above categories.

## 3. Why do we process your data (purpose of processing) and on what legal basis?

We process personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG):

### 3.1 For the fulfilment of contractual obligations (Article 6(1)(b) GDPR)

The main purpose for processing personal data (Article 4(2) GDPR) is providing and implementing our contracts or pre-contractual measures and processing your orders, as well as all necessary operational and administrative activities.

The purposes of data processing are primarily based on the specific product and may include, but are not limited to, consulting, needs analyses and support, as well as technical implementation.

Further details on the purpose for data processing can be found in the relevant contract documents and terms and conditions at <https://www.schramm-gmbh.de/downloads>.

### 3.2 In the context of balancing interests (Article 6(1)(f) GDPR)

If necessary, we process your data beyond fulfilling the contract in order to protect our legitimate interests or those of third parties such as in the following cases:

- Consulting and exchanging data with credit agencies (e.g. SCHUFA) to identify credit or default risks and the need for a bank account exempted from attachment or for a basic payment account;
- Reviewing and optimising needs analysis and direct customer contact procedure;
- Advertising or market and opinion research, provided that they have not objected to the use of your data;
- Asserting legal claims and defence in legal disputes;
- Safeguarding the IT security and IT operations of the company;
- Preventing and investigating criminal offences;
- Video surveillance is used to collect evidence of crime. This thereby aims to protect customers and employees as well as exercise the rights of the property owner;
- Measures for building and plant safety (e.g. access controls);
- Measures to secure the rights of the property owner;

- Measures for business management and the further development of services and products.

### **3.3 On the basis of your consent (Article 6(1)(a) GDPR)**

If you have provided your consent to the processing of your personal data for specific purposes, the legality of this processing is based on your consent. Consent can be revoked at any time. This also applies to revoking declarations of consent which were issued to us before the GDPR came into force, i.e. before May 25, 2018.

Please note that the revocation of consent will only be effective for the future. Processing that took place before the revocation of consent is not affected by this.

### **3.4 Due to legal requirements (Article 6(1)(c) GDPR) or in the public interest (Article 6(1)(e) GDPR)**

In addition, as a company we are subject to various legal obligations, i.e. legal requirements (e.g. foreign trade law, tax laws, trade laws). The purposes of processing include, but are not limited to, the fulfilment of fiscal inspection and reporting duties, the assessment and management of risks, and credit assessment.

## **4. Who receives my data?**

Within the organisation, the entities which have access to your data are those who need this to fulfil our contractual and legal obligations. Processors employed by us (Article 28 GDPR) may also receive data for these purposes. These include companies in IT services, logistics, printing services, telecommunications, debt collection, sales and marketing, and possibly in advice and consultation.

With regard to the transfer of data to recipients outside of the company, it should first be noted that we are bound to maintain confidentiality regarding all customer-related facts and assessments of which we become aware, in accordance with the general terms and conditions agreed between you and us.

We may only disclose information about you if we are legally required to do so, if you have given your consent or if we are authorised to provide information. Under these conditions, recipients of personal data may be, for example:

- Public bodies and institutions (e.g. fiscal authorities, tax authorities, customs authorities) in the case of legal or regulatory obligations.
- Other entities to which we provide personal information in order to conduct the business relationship with you (for example, suppliers, depending on the contract).

## **5. How long will my data be stored?**

If necessary, we process and store your personal data for the duration of our business relationship, which includes, for example, the initiation and execution of a contract. It should be noted that our business relationship is a continuing obligation which will last for years.

In addition, we are subject to various storage and documentation obligations, which emerge, inter alia, from the German Commercial Code (HGB) and the German Tax Code (AO). The set periods for storage and documentation are two to ten years.

Finally, the retention period is also judged according to the statutory limitation periods, which, for example, according to Section 195 seq. of the German Civil Code (BGB), can normally be three years, but in some cases, can also be up to thirty years.

#### **6. Will data be transmitted to a third party country or international organisation?**

The transfer of data to third party countries (states outside the European Economic Area – EEA) only takes place if this is necessary for the fulfilment of your orders, is required by law, or you have provided your consent. We will provide details to you separately, if required by law.

#### **7. Which privacy rights do I have?**

Each data subject has the right to **be informed** under Article 15 GDPR, the right to **correction** under Article 16 GDPR, the right to **erasure** under Article 17 GDPR, the right to **restriction of processing** under Article 18 GDPR and the right to **data portability** under Article 20 GDPR. With regard to the right to be informed and the right to erasure, the restrictions under Sections 34 and 35 BDSG apply. In addition, there is a right to file a complaint with a data protection supervisory authority (Article 77 GDPR in conjunction with Section 19 BDSG).

#### **8. Is there an obligation to provide data?**

Within the context of our business relationship, you only need to provide the personal data that are required in order to establish, conduct and terminate a business relationship, or that we are required to collect by law. Without this data, we will generally have to refuse to conclude the contract or to fulfil the order, or we will be unable to complete an existing contract and possibly be obliged to terminate it.

#### **9. To what extent does automated decision-making take place in individual cases?**

In principle, we do not use fully automated decision-making pursuant to Article 22 GDPR to establish and implement the business relationship. Should we use these procedures in individual cases, we shall inform you about this separately, if this is required by law.

#### **10. To what extent is my data used for profiling (scoring)?**

In order to be able to provide you with information and advice on products in a personalised manner, we reserve the right to use evaluation tools in the future in order to facilitate needs-based communication and advertising, including marketing and opinion research.

## **Information regarding your Right to Object in accordance with Article 21 of the General Data Protection Regulation (GDPR)**

1. On grounds relating to your particular situation, you have the right, at any time, to oppose the processing of personal data relating to you pursuant to Article 6(1)(e) GDPR (data processing in the public interest) and Article 6(1)(f) GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision as set out in Article 4(4) GDPR, which we use for rating purposes or for advertising purposes.

If you object, we will no longer process your personal information unless we can prove compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing takes place for the purposes of asserting, exercising or defending legal claims.

2. In individual cases, we process your personal data in order to operate direct advertising. You have the right to object at any time to the processing of personal data relating to you for the purposes of such advertising; this also applies to profiling insofar as it is associated with such direct advertising.

If you object to processing for direct advertising purposes, we will no longer process your personal data for these purposes.

The objection may be confirmed informally and where possible, should be addressed to:

### **Contact details for the Collector:**

Schramm GmbH  
Flinschstraße 18a  
60388 Frankfurt am Main  
Tel.: +49 69 42007 0  
Email: [datenschutz@schramm-gmbh.de](mailto:datenschutz@schramm-gmbh.de)

### **Contact details for the Data Protection Officer:**

Aysegül Kalkan (LL.M.)  
c/o GenoTec GmbH  
Wilhelm-Haas-Platz  
63263 Neu-Isenburg  
Tel.: +49 69 6978 3324  
Mobile: +49 172 2677142  
Email: [ayseguel.kalkan@geno-tec.de](mailto:ayseguel.kalkan@geno-tec.de)