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# Privacy Policy

## **Responsible for the content according to § 10 Abs. 3 MDStV**

Ina Gean, Helmut Kalisch, Timm Klöpfer

## **Name and contact of the responsible persons according to Article 4 (7)**

### **DSGVO**

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### **Data Protection Officer**


Name: Thorsten Brendel  
 Company: ViCoTec IT-Sicherheit und Datenschutz GmbH & Co. KG  
 Address: Im Technologiepark 12, 26129 Oldenburg  
 E-Mail: info@datenschutz-oldenburg.de

### **Liability for contents**

The contents of our pages and documents were created with the utmost care. However, we cannot guarantee the accuracy, completeness, and timeliness of the content. As a service provider, we are responsible for our own content on our internet pages in accordance with § 7 paragraph 1 TMG under the general laws. According to §§ 8 to 10 TMG, we are not obligated to monitor transmitted or stored information or to investigate circumstances that indicate illegal activity. Obligations to remove or block the use of information according to general laws remain unaffected. However, liability in this respect is only possible from the point in time at which a concrete infringement of the law becomes known. If we become aware of any such infringements, we will remove this content immediately.

### **Liability for links**

Our offer contains links to external websites of third parties, on whose contents we have no influence. Therefore, we cannot assume any liability for these external contents. The respective provider or operator of the pages is always responsible for the content of the linked pages. The linked pages

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were checked for possible legal violations at the time of linking. Illegal contents were not recognizable at the time of linking. However, a permanent control of the contents of the linked pages is not reasonable without concrete evidence of a violation of the law. If we become aware of any infringements, we will remove such links immediately.

## **Copyright**

The contents and works created by BSB are subject to German copyright law. The reproduction, editing, distribution and any kind of exploitation outside the limits of copyright require the written consent of the respective author or creator. Downloads and copies are only permitted for private, non-commercial use. Insofar as the content was not created by the operator, the copyrights of third parties are respected. In particular, third-party content is identified as such. Should you nevertheless become aware of a copyright infringement, please inform us accordingly. If we become aware of any infringements, we will remove such content immediately.

## **Security and protection of your personal data**

We consider it our primary responsibility to maintain the confidentiality of the personal data you provide to us and to protect it from unauthorized access. For this reason, we apply the utmost care and state-of-the-art security standards to ensure maximum protection of your personal data.


As a company under private law, we are subject to the provisions of the European Data Protection Regulation (DSGVO) and the regulations of the Federal Data Protection Act (BDSG). We have taken technical and organizational measures to ensure that the regulations on data protection are observed both by us and by our external service providers.

## **Definitions**

The legislator requires that personal data be processed in a lawful manner, in good faith and in a way that is comprehensible to the data subject ("lawfulness, processing in good faith, transparency"). To ensure this, we inform you about the individual legal definitions that are also used in this data protection declaration:

### **1. Personal data**

"Personal data" means any information relating to an identified or identifiable natural person (hereinafter "data subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

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## **2. Processing**

"Processing" means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **3. Restriction of processing**

"Restriction of processing" means the marking of stored personal data with the aim of limiting their future processing.

## **4. Profiling**

"Profiling" means any kind of automated processing of personal data that consists in using such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects relating to that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or change of location.

## **5. Pseudonymization**


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

## **6. File system**

"File system" means any structured collection of personal data accessible according to specified criteria, whether such collection is maintained on a centralized, decentralized, or functional or geographic basis.

## **7. Person in charge**

"Person in charge" means a natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its designation may be provided for by Union or Member State law.

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## **8. Processor**

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

## **9. Recipient**

"Recipient" means a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not a third party. However, public authorities that may receive personal data in the context of a specific investigative task under Union or Member State law shall not be considered as recipients; the processing of such data by the aforementioned authorities shall be carried out in accordance with the applicable data protection rules, in line with the purposes of the processing.

## **10. Third Party**

"Third party" means a natural or legal person, public authority, agency or other body, other than the data subject, the controller, the processor and the persons authorized to process the personal data under the direct responsibility of the controller or the processor.


## **11. Consent**

"Consent" of the data subject means any freely given specific, informed and unambiguous indication of his or her wishes in the form of a statement or other unambiguous affirmative act by which the data subject signifies his or her agreement to the processing of personal data relating to him or her.

## **Lawfulness of processing**

The processing of personal data is only lawful if there is a legal basis for the processing. Legal basis for the processing can be according to Article 6 para. 1 lit. a - f DSGVO in particular:

- a. The data subject has given his/her consent to the processing of personal data concerning him/her for one or more specific purposes;
- b. the processing is necessary for the performance of a contract to which the data subject is a party or for the implementation of pre-contractual measures taken at the request of the data subject;
- c. the processing is necessary for compliance with a legal obligation to which the controller is subject;
- d. the processing is necessary in order to protect the vital interests of the data subject or another natural person;

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- e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- f. processing is necessary for the purposes of the legitimate interests of the controller or a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require the protection of personal data, in particular where the data subject is a child.

## **Information about the collection of personal data**


(1) In the following we inform about the collection of personal data when using our website. Personal data are e.g. name, address, e-mail addresses, user behavior.

(2) If you contact us by e-mail or via a contact form, the data you provide (your e-mail address, name and telephone number, if applicable) will be stored by us in order to answer your questions. We delete the data accrued in this context after the storage is no longer necessary, or the processing is restricted if there are legal obligations to retain data.

## **Collection of personal data when visiting our website**

In the case of mere informational use of the website, i.e. if you do not register or otherwise transmit information to us, we only collect the personal data that your browser transmits to our server. If you wish to view our website, we collect the following data, which is technically necessary for us to display our website to you and to ensure stability and security (legal basis is Art. 6 para. 1 p. 1 lit. f DSGVO):

- IP address
- Date and time of the request
- Time zone difference to Greenwich Mean Time (GMT)
- Content of the request (specific page)
- Access status/HTTP status code
- Amount of data transferred in each case
- Website from which the request comes
- browser
- Operating system and its interface
- Language and version of the browser software.


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## Cookies

(1) In addition to the previously mentioned data, cookies are stored on your computer when you use our website. Cookies are small text files that are stored on your hard drive associated with the browser you are using and through which certain information flows to the body that sets the cookie. Cookies cannot execute programs or transmit viruses to your computer. They serve to make the Internet offer as a whole more user-friendly and effective.

(2) This website uses the following types of cookies, the scope and function of which are explained below:

- Transient cookies (a.)
  - Persistent cookies (see b.).
- a. Transient cookies are automatically deleted when you close the browser. These include, in particular, session cookies. These store a so-called session ID, with which various requests of your browser can be assigned to the common session. This allows your computer to be recognized when you return to our website. The session cookies are deleted when you log out or close the browser.
  - b. Persistent cookies are deleted automatically after a specified period of time, which may differ depending on the cookie. You can delete the cookies in the security settings of your browser at any time.
  - c. You can configure your browser settings according to your preferences and, for example, refuse to accept third-party cookies or all cookies. So-called "third party cookies" are cookies that have been set by a third party, and therefore not by the actual website you are currently visiting. Please note that by deactivating cookies you may not be able to use all functions of this website.
  - d. We use cookies to identify you for subsequent visits if you have an account with us. Otherwise, you would have to log in again for each visit.
  - e. The Flash cookies used are not collected by your browser, but by your Flash plug-in. Furthermore, we use HTML5 storage objects that are stored on your terminal device. These objects store the required data independently of the browser you are using and have no automatic expiration date. If you do not want Flash cookies to be processed, you must install an appropriate add-on, e. g. "Better Privacy" for Mozilla Firefox (<https://addons.mozilla.org/de/firefox/addon/betterprivacy/>) or the Adobe Flash Killer Cookie for Google Chrome. You can prevent the use of HTML5 storage objects by setting your browser to private mode. We also recommend that you regularly delete your cookies and browser history manually.

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## **Other functions and offers of our website**

(1) In addition to the purely informational use of our website, we offer various services that you can use if you are interested. For this purpose, you must usually provide additional personal data that we use to provide the respective service and for which the aforementioned data processing principles apply.

(2) In some cases, we use external service providers to process your data. These have been carefully selected and commissioned by us, are bound by our instructions and are regularly monitored.

(3) Furthermore, we may pass on your personal data to third parties if we offer promotions, competitions, contracts or similar services together with partners. You will receive more information about this when you provide your personal data or below in the description of the offer.

(4) If our service providers or partners are based in a country outside the European Economic Area (EEA), we will inform you about the consequences of this circumstance in the description of the offer.

## **Children**

Our offer is basically directed at adults. Persons under the age of 18 should not transmit any personal data to us without the consent of their parents or legal guardians.

## **Rights of the data subject**

### **(1) Withdrawal of consent**

If the processing of personal data is based on a granted consent, you have the right to revoke the consent at any time. The revocation of consent does not affect the lawfulness of the processing carried out based on the consent until the revocation.


To exercise the right of revocation, you can contact us at any time.

### **(2) Right to confirmation**

You have the right to request confirmation from the controller as to whether we are processing personal data relating to you. You can request the confirmation at any time using the contact details above.

### **(3) Right to information**

If personal data are processed, you can request information about these personal data and about the following information at any time:

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- a. the purposes of processing;
- b. the categories of personal data processed;
- c. the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular in the case of recipients in third countries or international organizations;
- d. if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration;
- e. the existence of a right to rectification or erasure of the personal data concerning you or to restriction of processing by the controller or a right to object to such processing;
- f. the existence of a right of appeal to a supervisory authority;
- g. if the personal data are not collected from the data subject, any available information on the origin of the data;
- h. the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and, at least in these cases, meaningful information about the logic involved and the scope and intended effects of such processing for the data subject.

If personal data is transferred to a third country or to an international organization, you have the right to be informed about the appropriate safeguards pursuant to Article 46 of the GDPR in connection with the transfer. We will provide a copy of the personal data that is the subject of the processing. We may charge a reasonable fee based on administrative costs for any additional co-pies you request person. If you make the request electronically, the information shall be provided in a commonly used electronic format, unless it specifies otherwise. The right to receive a copy under paragraph 3 shall not interfere with the rights and freedoms of other persons.

#### **(4) Right of correction**


You have the right to request that we correct any inaccurate personal data concerning you without undue delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

#### **(5) Right to erasure ("right to be forgotten")**

You have the right to request the controller to delete personal data concerning you without undue delay, and we are obliged to delete personal data without undue delay, if one of the following reasons applies:

- a. the personal data are no longer necessary for the purposes for which they were collected or otherwise processed.
- b. the data subject withdraws the consent on which the processing was based pursuant to Article 6(1)(a) or Article 9(2)(a) DSGVO and there is no other legal basis for the processing.



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- c. the data subject objects to the processing pursuant to Article 21(1) DSGVO and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) DSGVO.
- d. the personal data have been processed unlawfully.
- e. the erasure of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject.
- f. the personal data has been collected in relation to information society services offered pursuant to Article 8(1) of the GDPR.

If the controller has made the personal data public and is obliged to erase it pursuant to paragraph 1, it shall take reasonable measures, including technical measures, to inform data controllers which process the personal data that a data subject has requested that they erase all links to or copies or reproductions of such personal data, taking into account the available technology and the cost of implementation.


The right to erasure ("right to be forgotten") does not exist insofar as the processing is necessary:

- for the exercise of the right to freedom of expression and information;
- for compliance with a legal obligation which requires processing under Union or Member State law to which the controller is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- for reasons of public interest in the area of public health pursuant to Article 9(2)(h) and (i) and Article 9(3) of the GDPR;
- for archiving, scientific or historical research purposes in the public interest or for statistical purposes pursuant to Article 89(1) of the GDPR, insofar as the right referred to in paragraph 1 is likely to render impossible or seriously prejudice the achievement of the purposes of such processing; or
- for the assertion, exercise or defense of legal claims.

## **(6) Right to restriction of processing**

You have the right to request us to restrict the processing of your personal data if one of the following conditions is met:

- a. the accuracy of the personal data is contested by the data subject for a period enabling the controller to verify the accuracy of the personal data,
- b. the processing is unlawful and the data subject objects to the erasure of the personal data and instead requests the restriction of the use of the personal data;
- c. the controller no longer needs the personal data for the purposes of processing, but the data subject needs it for the establishment, exercise or defense of legal claims; or

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- d. the data subject has objected to the processing pursuant to Article 21(1) of the GDPR, as long as it has not yet been determined whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted in accordance with the above conditions, such personal data shall - apart from being stored - only be processed with the consent of the data subject or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or a Member State.

In order to exercise the right to restrict the processing, the data subject may at any time contact us at the contact details provided above.

### **(7) Right to data portability**


You have the right to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format, and you have the right to transmit this data to another controller without hindrance from the controller to whom the personal data was provided, provided that:

- a. the processing is based on consent pursuant to Article 6(1)(a) or Article 9(2)(a) or on a contract pursuant to Article 6(1)(b) DSGVO; and
- b. the processing is carried out with the aid of automated procedures.

When exercising the right to data portability pursuant to paragraph 1, you have the right to obtain that the personal data be transferred directly from one controller to another controller, where technically feasible. The exercise of the right to data portability does not affect the right to erasure ("right to be forgotten"). This right does not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

### **(8) Right of objection**

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6(1)(e) or (f) of the GDPR; this also applies to profiling based on these provisions. The controller shall no longer process the personal data unless it can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defense of legal claims.

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If personal data are processed for the purposes of direct marketing, you have the right to object at any time to processing of personal data concerning you for such marketing; this also applies to profiling insofar as it is related to such direct marketing. If you object to processing for direct marketing purposes, the personal data will no longer be processed for these purposes.

In connection with the use of information society services, you may exercise your right to object by means of automated procedures using technical specifications, notwithstanding Directive 2002/58/EC.

You have the right to object on grounds relating to your particular situation to the processing of personal data concerning you which is carried out for scientific or historical research purposes or for statistical purposes pursuant to Article 89(1), unless the processing is necessary for the performance of a task carried out in the public interest.

#### **(9) Automated decisions in individual cases including profiling**

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. This does not apply if the decision:


- a. is necessary for the conclusion or performance of a contract between the data subject and the controller,
- b. is permitted by legal provisions of the Union or the Member States to which the controller is subject, and these legal provisions contain appropriate measures to safeguard the rights and freedoms as well as the legitimate interests of the data subject; or
- c. takes place with the express consent of the data subject.

The controller shall take reasonable steps to safeguard the rights and freedoms as well as the legitimate interests of the data subject, which include at least the right to obtain the intervention of a data subject on the part of the controller, to express his or her point of view and contest the decision.

The data subject may exercise this right at any time by contacting the controller.

#### **(10) Right to complain to a supervisory authority**

They shall also have the right, without prejudice to any other administrative or judicial remedy, to lodge a complaint with a supervisory authority, in particular in the Member State of their residence, place of work or the place of the alleged infringement, if the data subject considers that the processing of personal data relating to him or her infringes this Regulation.

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### **(11) Right to effective judicial remedy**

They shall have the right to an effective judicial remedy, without prejudice to any available administrative or non-judicial remedy, including the right to lodge a complaint with a supervisory authority pursuant to Article 77 GDPR, if they consider that their rights under this Regulation have been infringed because of the processing of their personal data not in compliance with this Regulation.

### **Use of Google Analytics**


(1) This website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of the website will be transmitted to and stored by Google on servers in the United States. In the event that IP anonymization is activated on this website, however, your IP address will be truncated beforehand by Google within member states of the European Union or in other contracting states to the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. On behalf of the operator of this website, Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity and providing other services relating to website activity and internet usage to the website operator.

(2) The IP address transmitted by your browser as part of Google Analytics will not be merged with other data from Google.

(3) You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. You can also prevent the collection of data generated by the cookie and related to your use of the website (including your IP address) to Google and the processing of this data by Google by downloading and installing the browser plug-in available at the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.

(4) This website uses Google Analytics with the extension "\_anonymizeIp()". This means that IP addresses are processed in abbreviated form, which means that personal references can be ruled out. Insofar as the data collected about you is personally identifiable, it will be excluded immediately and the personal data will be deleted immediately.

(5) We use Google Analytics to analyze and regularly improve the use of our website. The statistics obtained enable us to improve our offer and make it more interesting for you as a user. For the exceptional cases in which personal data is transferred to the USA, Google has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>. The legal basis for the use of Google Analytics is Art. 6 para. 1 p. 1 lit. f DSGVO.

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(6) Third Party Provider Information: Google Dublin, Google Ireland Ltd, Gordon House, Barrow Street, Dublin 4, Ireland, Fax: +353 (1) 436 1001. User Terms: <http://www.google.com/analytics/terms/de.html>, Privacy Policy Overview: <http://www.google.com/intl/de/analytics/learn/privacy.html>, and Privacy Policy: <http://www.google.de/intl/de/policies/privacy>.

(7) This website also uses Google Analytics for a cross-device analysis of visitor flows, which is carried out via a user ID. You can deactivate the cross-device analysis of your usage in your customer account under "My data", "Personal data".

### **Integration of Google Maps**

(1) On this website we use the offer of Google Maps. This allows us to show you interactive maps directly on the website and enables you to use the map function comfortably.

(2) By visiting the website, Google receives the information that you have called up the corresponding sub-page of our website. In addition, the data mentioned under § 3 of this declaration are transmitted. This occurs regardless of whether Google provides a user account through which you are logged in or whether no user account exists. If you are logged in to Google, your data will be directly assigned to your account. If you do not want the assignment with your profile at Google, you must log out before activating the button. Google stores your data as usage profiles and uses them for the purposes of advertising, market research and/or demand-oriented design of its website. Such an evaluation is carried out in particular (even for users who are not logged in) for the provision of needs-based advertising and to inform other users of the social network about your activities on our website. You have the right to object to the creation of these user profiles, whereby you must contact Google to exercise this right.

(3) Further information on the purpose and scope of data collection and processing by the plug-in provider can be found in the provider's privacy policy. There you will also find further information about your rights in this regard and possible settings to protect your privacy: <http://www.google.de/intl/de/policies/privacy>. Google also processes your personal data in the USA and has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>.