

Our data protection declaration

1. General information and principles of data processing

We are glad that you visit our website. The protection of your privacy and the protection of your personal data, the so-called personal data, when using our website is very important to us.

According to Art. 4 No. 1 GDPR, personal data are all information relating to an identified or identifiable natural person. This includes, for example, information such as your first and last name, your address, your telephone number, your e-mail address, but also your IP address. Data that cannot be linked to your person, for example through anonymisation, are not personal data. The processing (e.g. the collection, storage, reading, querying, use, transmission, deletion or destruction) according to Art. 4 No. 2 GDPR always requires a legal basis or your consent. Processed personal data must be deleted as soon as the purpose of the processing has been achieved and no legally prescribed retention obligations are to be preserved.

Here you will find information about the handling of your personal data when you visit our website. In order to provide the functions and services of our website, it is necessary that we collect personal data about you.

We also explain to you the type and scope of the respective data processing, the purpose and the corresponding legal basis and the respective storage period.

This privacy policy applies only to this website. It does not apply to other websites to which we merely refer via a hyperlink. We cannot assume any responsibility for the confidential handling of your personal data on these third party websites, as we have no influence on whether these companies comply with data protection regulations. Please inform yourself about the handling of your personal data by these companies directly on these websites.

Below you will find the contact details of the responsible controller and the data protection officer.

2. Controller

Controller for the processing of personal data on this website:

Serviceplan Sales Bremen GmbH
Richard-Dunkel-Straße 120
28199 Bremen/ Germany

Telephone: +49 421 33908 30
Telefax: +49 421 33908 11
E-Mail: [b.laack\(at\)serviceplan.com](mailto:b.laack(at)serviceplan.com)

Represented by the managing director: Bertram Laack

3. Data Protection Officer

If you have any questions about data protection, you can also contact our data protection officer at any time:

Dr. Georg Schröder, LL.M.
Data protection officer
HEUSSEN Rechtsanwaltsgesellschaft mbH
Brienner Straße 9 / Amiraplatz
80333 München (Munich)/ Germany
Telephone: +49 89 29 09 70
Telefaxax: +49 89 290 97 200
E-mail: georg.schroeder@heussen-law.de

4. Provision and use of the website/ log files

a) Type and scope of data processing

If you use this website without otherwise transmitting data to us, we collect following technically necessary data via log files, which are automatically transmitted to our server:

- Date and time
- IP address
- Session ID
- Visited web page
- Name of the website from which our website was accessed
- Browser used

b) Purpose and legal basis

This processing is technically necessary in order to be able to display our website to you. We also use the data to ensure the security and stability of our website. This processing is also necessary to prevent the misuse of our website.

The legal basis for this processing is Art. 6(1) lit. f) GDPR. The processing of the mentioned data is necessary for the running of the website and protection against misuse of the website and thus serves the protection of a legitimate interest of our company.

c) Storage period

As soon as the personal data mentioned are no longer required to display the website, the data will be deleted. The collection of the data for the provision of the website and the storage of the data in log files is absolutely necessary for the operation of the website. Consequently, there is no possibility for the user to object to this aspect. Further storage may take place in individual cases if this is required by law.

5. Use of cookies

a) Type, scope and purpose of data processing

We use cookies. Cookies are small files that are sent by us to the browser of your device during your visit to our website and stored there.

Some functions of our website cannot be offered without the use of technically necessary cookies. Other cookies, on the other hand, allow us to perform various analyses. For example, some cookies can recognize the browser you are using when you return to our website and transmit various information to us. We use cookies to facilitate and improve the use of our website. For example, we can use cookies to make our website more user-friendly and effective for you, for example by tracking your use of our website and determining your preferred settings (e.g. country and language settings). If third parties process information via cookies, the third parties collect the information directly via your browser. However, cookies do not cause any damage to your device. They cannot run programs or contain viruses. Various types of cookies are used on our website and their type and function are explained below.

Transient/ Session cookies

Our website uses transient/session cookies, which are automatically deleted when you close your browser. This type of cookie allows us to collect your session ID. This makes it possible to assign different requests of your browser to a common session and it is possible to recognize your device during subsequent visits to websites.

Persistent cookies

Persistent cookies are used on our website. Persistent cookies are cookies that are stored in your browser for a longer period of time and can transmit information. The respective storage period differs depending on the cookie. You can delete persistent cookies independently using your browser settings.

Third-party cookies

We use analytical cookies to monitor the anonymous user behavior on our website.

We also use advertising cookies. These cookies can be used to track user behavior for advertising and targeted marketing purposes.

Social media cookies allow us to connect to your social networks and share content of our website within your networks.

Configuring the browser settings

Most web browsers are pre-set to automatically accept cookies. However, you can configure your browser so that it only accepts certain cookies or no cookies at all. However, we would like to point out that you may then no longer be able to use all the functions of our website.

You can also use your browser settings to delete cookies already stored in your browser. Furthermore, it is possible to set your browser so that it informs you before cookies are stored. Since the different browsers may differ in their respective functions, we ask you to use the respective help menu of your browser for the corresponding configuration options.

Disabling the use of cookies may require the storage of a permanent cookie on your computer. If you subsequently delete this cookie, you must deactivate it again.

b) Legal basis

Due to the described purposes of use, the legal basis for the processing of personal data using cookies is Art. 6(1) lit. f) GDPR. If you have given us your consent to the use of cookies on the basis of a reference ("cookie banner"), the legal basis is additionally Art. 6(1) lit. a) GDPR.

c) Storage period

As soon as the data transmitted to us via cookies is no longer required for the purposes described above, this information will be deleted. Further storage may take place in individual cases if this is required by law.

6. Data collection for the implementation of pre-contractual measures and for contract fulfilment

a) Type and scope of data processing

In the pre-contractual area and at the conclusion of the contract we collect personal data about you. This includes, for example, first and last name, address, e-mail address, telephone number or bank details.

b) Purpose and legal basis of data processing

We collect and process this data exclusively for the purpose of contract execution and/or for the fulfilment of pre-contractual obligations.

The legal basis for this is Art. 6(1) lit b) GDPR. If you also give your consent, the additional legal basis is Art. 6(1) lit. a) GDPR.

c) Storage period

The data will be deleted as soon as they are no longer necessary for the purpose of their processing.

In addition, statutory retention obligations may exist, such as commercial or tax retention obligations in accordance with the German Commercial Code (HGB) or the German Fiscal Code (AO). If such storage obligations exist, we will block or delete your data at the end of these storage obligations.

7. Data transmission

We will only pass on your personal data to third parties if:

a) you have given your explicit consent in accordance with Art. 6(1) lit. a) GDPR

b) this is legally permissible and is necessary according to Art. 6(1) lit. b) GDPR for the fulfilment of a contractual relationship with you or the implementation of pre-contractual measures

c) according to Art. 6(1) lit. c) GDPR there is a legal obligation for the transfer.

We are legally obliged to transmit data to state authorities, e.g. tax authorities, social insurance carriers, health insurance funds, supervisory authorities and law enforcement authorities.

d) the disclosure according to Art. 6(1) S. 1 lit. f) GDPR is necessary for the protection of legitimate company interests, as well as for the assertion, exercise or defence of legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data.

e) in accordance with Art. 28 GDPR, we use external service providers, so-called processors, who are obliged to handle your data with care.

We use such service providers in the following areas:

- IT
- Logistics
- Telecommunications
- Sales
- Marketing

When transferring your personal data to external bodies in third countries, i.e. outside the EU or the EEA, we ensure that these bodies treat your personal data with the same care as within the EU or the EEA. We only transfer personal data to third countries for which the EU Commission has confirmed an appropriate level of protection or if we ensure the careful handling of personal data through contractual agreements or other suitable guarantees.

8. Contact form

a) Type and scope of data processing

On our website we offer you the possibility to contact us via an earmarked form. In the course of sending your inquiry via the contact form, reference is made to this data protection declaration in order to obtain your consent.

If you use the contact form, the following personal data will be processed:

- Salutation
- Prenom
- Last name
- Title
- Company
- E-mail adress
- Telephone number
- Subject

- Content of the message

b) Purpose and legal basis

The purpose of providing your e-mail address is to send you an answer to your request by e-mail. When using the contact form, your personal data will not be passed on to third parties.

The legal basis for processing is a consent in accordance with Art. 6(1) lit. a) GDPR on the basis of the declaration of consent you have voluntarily given below and which can be revoked at any time for the future:

c) Storage period

The data entered by you in the contact form will remain with us until you request us to delete them, you withdraw your consent for storage or the purpose for data storage no longer applies (e.g. after your request has been processed).

This shall not affect mandatory statutory provisions - in particular retention periods in accordance with the German Commercial Code (HGB) or the Tax Code (AO).

9. Contact options by e-mail

On our website you can contact us by e-mail.

a) Type and scope of data processing

You can contact us by e-mail. Our data collection is limited to the e-mail address of the e-mail account you use to contact us and to any personal data you make available when contacting us.

b) Purpose and legal basis

The purpose of data processing is to enable us to respond appropriately to your request. The legal basis for this is Art. 6(1) s. 1 f) GDPR. There is a legitimate interest in the processing of the above-mentioned personal data in order to be able to process your request properly.

c) Storage period

The duration of the storage of the above data depends on the background of your contact. Your personal data is regularly deleted if the purpose of the communication no longer applies and storage is no longer necessary. This may result, for example, from the processing of your request.

10. Tracking and analysis tools

We use tracking and analysis tools to ensure continuous optimization and demand-oriented design of our website. By using tracking and analysis measures, it is also possible for us to statistically record the use of our website by visitors and to further develop our online presence for you through the knowledge gained as a result.

We have a justified interest in this, which justifies the use of the tracking and analysis tools described below in accordance with Art. 6(1) lit. f) GDPR.

If you gave us your consent to the use of cookies on the basis of a reference ("cookie banner") is the legality of the use additionally governed by Art. 6(1) lit. a) GDPR.

The following description of the tracking and analysis tools shows the type, scope and the respective processing purposes.

Google Maps

We use the website of Google Maps on our website. Google Maps is a service of Google LLC, 1600 Amphitheater Parkway, Mountain View, CA 94043, USA ("Google").

This allows us to show you interactive maps directly on our website and allow you to conveniently use the map feature.

Using Google Maps, data is sent to Google in the United States:

- The operating system
- Information about the browser type and version used
- Information about your Internet service provider
- Your IP address
- Date and time of access
- Websites from which you came to our website
- Websites that you visit through our website

Google participates in the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>. This ensures an adequate level of data protection even in the exceptional cases in which Google transfers personal data to the USA.

This is done regardless of whether Google provides a user account that you are logged in to, or if there is no user account. When you are logged in to Google, your data will be assigned directly to your account. If you do not want to associate with your profile on Google, you will need to log out.

Google stores your data as usage profiles and uses them for purposes of advertising, market research and / or tailor-made website design. Such an evaluation is carried out in particular (even for users who are not logged in) for the purpose of providing appropriate advertising.

The evaluation is also done to inform other users of the social network about your activities on our website.

You have a right of objection to the formation of these user profiles. This is to be addressed to Google.

You can prevent the transfer of data to Google by disabling JavaScript in your browser settings. In that case, you will not be able to use Google Maps on our website.

Google participates in the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>. This ensures an adequate level of data protection even in the exceptional cases in which Google transfers personal data to the USA.

European contact data of Google:
Google Dublin, Google Ireland Ltd.
Gordon House, Barrow Street
Dublin 4
Ireland
Fax: +353 (1) 436 1001

Learn more about the Google Maps Terms of Use:
www.google.com/intl/de_US/help/terms_maps.html

For more information see Google's privacy policy: <https://policies.google.com/privacy?hl=en>

11. Data security and security measures

We are committed to protecting your privacy and keeping your personal information confidential. For this purpose, we take extensive technical and organizational security measures, which are regularly reviewed and adapted to technological progress. Among other things, this includes the use of recognized encryption methods (SSL or TLS). Unencrypted disclosed data, for example unencrypted e-mails, could possibly be read by third parties. We have no influence on that. It is the responsibility of the respective user to protect the data.

12. Changes to this Privacy Policy

We reserve the right to update this statement at any time if necessary.

13. Your rights

Here you will find your rights regarding your personal data. Details can be found in articles 7, 15-22 and 77 GDPR. In this regard, you can contact the controller (item 2) or the data protection officer (item 3).

a) Right to withdraw your data protection consent according to Art. 7(3) s. 1 GDPR

You can withdraw your consent to the processing of your personal data at any time with effect for the future. However, this does not affect the legality of the processing before its withdrawal.

b) Right of access according to Art. 15 GDPR

You have the right to request confirmation whether we obtain personal data concerning you.

In this case you have the right to get information about your personal data as well as further information, e.g. the purposes of processing, categories of personal data concerned, the recipients and the planned period of storage or the criteria used to determine that period.

c) Right to obtain rectification and completion according to Art. 16 GDPR

You have the right to obtain the correction of incorrect data without delay. Taking into account the purposes of the processing, you have the right to obtain the completion of incomplete data.

d) Right to erasure ("right to be forgotten") according to Art. 17 GDPR

You have a right of erasure, as far as the processing is not necessary. This is the case, if your data is no longer necessary for the original purposes, for example if you have withdrawn your consent or if the data was processed unlawfully.

e) Right restriction of processing according to Art. 18 GDPR

You have the right to obtain processing, e.g. if you believe that the personal data is incorrect.

f) Right to data portability according to Art. 20 GDPR

You have the right to receive the personal data concerning you in a structured, commonly used and machine-readable format.

g) Right to object according to Art. 21 GDPR

You have the right to object at any time to the processing of certain personal data concerning you for reasons arising from your particular situation.

In the case of direct marketing, you as the data subject have the right to object at any time to the processing of personal data concerning you for the purpose of advertising; this also applies to profiling, insofar as it is associated with direct marketing.

h) Automated individual decision-making, including profiling according to Art. 22 GDPR

You have the right not to be subject to a decision based solely on automated processing - including profiling - except in the exceptional circumstances mentioned in Art. 22 GDPR.

A decision based solely on automated processing - including profiling - does not take place.

i) Right to lodge a complaint with a data protection supervisory authority according to Art. 77 GDPR

You can also lodge a complaint with a data protection supervisory authority at any time, for example if you believe that data processing is not in compliance with data protection regulations.

The data protection supervisory authority for us is the following:

Bavarian State Office for Data Protection Supervision
PO Box 606

91511 Ansbach
Germany

Telephone: +49 (0) 981 53 1300
Telefax: +49 (0) 981 53 98 1300
E-mail: poststelle@lda.bayern.de