

## **PRIVACY NOTICE**

We are very pleased you have taken an interest in our company. Data protection is very important to Seeberger GmbH.

The Privacy Notice below provides a detailed overview of how your personal data is processed by Seeberger GmbH. Information is included about the type, scope and purpose of personal data collection, and about how this data is handled at Seeberger GmbH. It also explains the rights you have in relation to the processing of your personal data.

### **1. Terminology**

The Seeberger GmbH Privacy Notice is based on the term definitions that were used by the European Union in enacting the General Data Protection Regulation (GDPR). Our Privacy Notice should be easy to read and understand both for the public and for our customers and business partners. To achieve this, we would first like to explain the terms that have been used.

The terms used in this Privacy Notice include:

#### **a) personal data**

Personal data is all information that relates to an identified or identifiable natural person (hereinafter referred to as a "data subject"). An identifiable natural person means 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.

#### **b) data subject**

Data subject means any identified or identifiable natural person, whose personal data is processed by the controller.

#### **c) processing**

Processing means any operation or set of operations that is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

#### **d) responsible person or controller**

The responsible person or controller means the natural or legal person, public authority, agency or any 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 processing are determined by European Union law or the law of the Member States, the controller or the specific criteria for its nomination may be stipulated by the European Union law or the law of the Member States.

#### **e) processor**

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

**f) recipient**

Recipient means a natural or legal person, public authority, agency or any other body to whom data is disclosed, whether a third party or not. Public authorities that may receive personal data as part of a specific investigative act pursuant to European Union law or the law of the Member States, are not deemed to be recipients, however.

**g) third party**

Third party means any natural or legal person, public authority, agency or any body other than the data subject, the controller, the processor and the persons who, under the direct authority of the controller or the processor, are authorised to process data.

**h) consent**

Consent means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which they, by a statement or by a clear affirmative action, signify their agreement to the processing of personal data relating to them.

**2. Scope of the Privacy Notice**

The following Notice applies to customers and potential buyers of products, services and works of Seeberger GmbH, as well as to all other natural persons who come into contact with Seeberger GmbH in relation to these products, services or works (e.g. representatives or customer contacts).

Additional provisions may be added to this Privacy Notice with regard to certain products and services or works.

**3. Contact details for the controller and the data protection officer**

The responsible party within the meaning of the GDPR, other data protection legislation applicable in the Member States of the European Union and other regulations concerning data protection is:

Seeberger GmbH  
Hans-Lorenser-Straße, 36  
89079 Ulm  
Germany  
Germany  
Tel.: +49 (0)73 140 930  
datenschutz@seeberger.de  
Website: [www.seeberger.de](http://www.seeberger.de)

The appointed data protection officer:

DataCo GmbH  
Nymphenburger Str. 86  
80636 München  
Germany  
Tel.: +49 (0)89 740045840

**4. Scope and origin of the data**

We process personal data ("data") in accordance with the principles of data avoidance and data economy, providing this is necessary, we are permitted to do so by the applicable law, we are obliged to do so or you have provided your consent.

#### **4.1 Data relating to the business relationship**

The customer's master data, especially company, name, language, position, industry affiliation, association memberships;

The customer's contact data, especially current address, previous addresses, other shipping addresses, telephone numbers and email addresses;

Contractual data such as contract start and end dates, instalment payments, repayment conditions;

providing representatives or contacts are named: their master data, especially name, date of birth

and tax number, as well as contact details, e.g. current address, previous addresses, other shipping addresses, telephone numbers and email addresses and interests for marketing activities;

Master data for members of the public, e.g. current address, previous addresses, other shipping addresses, telephone numbers and email addresses;

Income and financial circumstances in relation to self-declarations, especially proof of income, details of income, supplementary income, instalment payment obligations;

Data included in personal identity documents or other submitted identity papers;

Authentication data, especially signature samples;

Bank details, e.g. the IBAN for your account, BIC, information about your bank;

Tax-relevant data, especially VAT ID, tax identification number, tax certification;

Annual accounts or business assessments, company planning figures and other operational and

financial information;

Payment behaviour;

Bank details, e.g. the IBAN for your account, BIC, information about your bank;

In individual cases a bank credit report;

Data from postal, electronic and telephonic communication between you and us;

Data about your business activity and any business partners;

Other data as required to fulfil the respective business relationships

#### **4.2 Data relating to the business relationship**

We also capture data within our online services, including portals and apps, providing this is necessary to meet our contractual commitments to you or you have given your consent to this. This applies in particular to the following data:

master data changes undertaken by you, e.g. address changes;

time and scope of the Conditions of Use for Online Services accepted by you

#### **4.3 Origin of personal data**

In principle we collect data from you directly. We also process – providing this is necessary in the performance of the contract we have concluded with you or for steps prior to entering into a contract, or you have given your consent to this – such personal data as we have received legitimately from other companies of the Seeberger Group (these are listed under 5.1). In addition, we acquire data from publicly accessible sources (e.g. the Internet or from newspapers), public registers (e.g. the company register) or from credit agencies (e.g. Creditreform, Schufa, Bürgel).

### **5. Purposes and legal bases for data processing**

The following paragraphs explain the purposes for and the legal bases on which we process your data.

## 5.1 Processing for steps prior to entering into a contract or to meet contractual commitments

We gather and process your personal data as described in detail under point 4 in the course of making contact with you and fulfilling our contractual commitments towards you. The legal basis

for this data processing comes from Article 6(1)(b) GDPR, i.e. processing for the performance of contract or to take steps prior to entering into a contract. For example, we process your contact data for the purpose of making contact with you and other data to the extent required to conclude purchase, works or service agreements and to meet our contractual commitments in the proper manner.

In this context we and our affiliates make use of the shared IT systems of Seeberger Office Solutions GmbH, Willich.

These companies have technical access to the shared IT systems and the data stored there. Access to this data only occurs if this is necessary in the realisation and execution of the business relationship with you.

## 5.2 Processing due to a legitimate interest

Furthermore, we process your personal data if this is necessary to protect our legitimate interests

as a responsible body or to protect the interests of a third party, except where such interests are overridden by your interests or fundamental rights and freedoms that require protection of personal data (Article 6(1)(f) GDPR).

“Third party” in this context does not mean us as a responsible body or our processors (see Article 4(10) GDPR). Your data is processed due to a legitimate interest in the following cases in particular:

we transmit personal data about the commencement, realisation and end of our business relationship and data about non-contractual behaviour to

- Verband der Vereine Creditreform e.V. (“Creditreform”)
- CRIF Bürgel GmbH (“Bürgel”)
- SCHUFA Holding AG (“Schufa”)
- EOS KSI Inkasso Deutschland GmbH (“EOS KSI”) DDMonitor

and collect information about your credit score from these companies. This is used to assess your credit rating and, in our interest, to avoid payment defaults. The listed companies process the received data and also use it for the purpose of scoring (see also point 8 of this Privacy Notice), in order to provide their contractual partners in the European Economic Area and in Switzerland, as well as other third countries as required (providing the European Commission has made an adequacy decision in this regard), with information for purposes that include assessing credit ratings. More information on the activities of Creditreform is available online at [www.creditreform.de/eu-dsgvo](http://www.creditreform.de/eu-dsgvo), on the activities of Bürgel at [ww.crifbuergel.de/de/datenschutz](http://ww.crifbuergel.de/de/datenschutz), on the activities of Schufa at [www.schufa.de/datenschutz](http://www.schufa.de/datenschutz) and on the activities of EOS KSI at [www.eosddmonitor.com/datenschutz/DDMonitor](http://www.eosddmonitor.com/datenschutz/DDMonitor).

It may be necessary to process your personal data in individual cases during maintenance and servicing of our IT systems. We work on the basis that we have an overriding legitimate interest to do so, because these measures are used to ensure IT security and to maintain IT operations and, thus, to manage business operations and risk in our company.

Additionally, we use your data, particularly your contact details, for direct marketing by post about products, services and works and about special events in individual cases. Moreover, we use this data for marketing communications about our online services or by email, providing we

have recorded your email address in relation to the sale of products or services or works, for marketing campaigns about our own similar products or services or works. If you object to the

use of your data, we shall no longer send you any marketing materials. We shall advise you explicitly of your right to object to the use of your data at any time when collecting your data and whenever it is used. We use this data in the aforementioned manner for marketing purposes, because we have a legitimate interest to use your data in this respect. We would like to send you information at regular intervals about our products and services, which we believe you will find of interest.

We also process your data to the extent this is necessary to exercise legal claims and to defend ourselves in legal disputes. We also assume that our interests in this respect override your fundamental rights and freedoms that require protection of your data.

We only process your data in anonymised form to develop our services and products and for statistical purposes.

### **5.3 Processing due to legal requirements**

Seeberger GmbH is subject to extensive legal and regulatory requirements, e.g. arising from the German Money Laundering Act (GwG) or tax laws. We must collect and process your personal data to comply with the resulting legal requirements (Article 6(1)(c) GDPR). In order to meet the requirements of GwG and the German Act for Combating Tax Evasion (StUmgBG), we are obliged to identify you by means of your personal identity document or passport before entering into a business relationship and to collect and store the data contained therein (§§ 11, 12 GwG). Seeberger GmbH as the obligor has the right and the obligation to make full copies of these documents in the course of checking identity pursuant to GwG, or to capture a full digital image thereof (§ 8(2) sentence 2 GwG). If you do not provide us with the necessary information and documentation, we are not able to enter into or continue with the business relationship you desire.

### **5.4 Processing due to consent**

Your personal data is also processed if you have explicitly agreed to this in advance, i.e. have given your consent (Article 6(1)(a) GDPR).

This might, for example, be for marketing purposes insofar as we are not already using your data

based on our legitimate interest (as described above under point 5.2 of this Privacy Notice). We shall seek explicit consent declarations from you in this respect.

From time to time, we also commission marketing institutes, in order to conduct customer satisfaction surveys and to improve our products and services in the interest of our customers.

## **6. Disclosure of your data**

We only disclose your personal data to third parties if you have consented to this data disclosure, or if we are entitled or obliged to disclose data because of some other permission.

### **6.1 Data disclosure to processors**

In the course of our business activity we use processors in the European Union (e.g. IT service providers and storage providers, call centre companies to provide our customer services, or external collection agencies for debt recovery). Your data is disclosed to these processors in the strictest confidence and in compliance with the regulations of the GDPR and the German Data Protection Act (BDSG). We have concluded legitimate processing contracts pursuant to Article 28 GDPR with all the processors we use, who may process the data only for us and not for their own purposes.

### **6.2 Data disclosure within common data management**

In the course of entering into and fulfilling our contractual relationship with you, we store and process your data in IT systems that are also used by the other companies listed under point 5.1.

The data stored there by us is technically also accessible to these companies. The companies shall only access the data insofar as this – as described under point 5.1 – is required for the business relationship with you.

### **6.3 Data transmission to suppliers**

In the course of the business relationship we also transmit your data, especially your first and last names, your address, your customer number, the order number (if available) to suppliers in Germany whom we have commissioned with the manufacture or supply of the products you have ordered.

### **6.4 Data transmission to sales partners**

When you buy a product from us, we transmit your data, especially your first and last names, your address, your customer number, the order number (if available) to our sales partners in Germany, so as to provide you with better service. If your registered customer address is not in Germany, we transmit your data detailed above to the local sales partner with responsibility for your area, insofar as this is necessary.

### **6.5 Data transmission to workshops**

If you require workshop services from our authorised service partners, we also transmit your data, especially your first and last names, your contact details, the device type, to our service partners in Germany and the European Union (“EU”) or the European Economic Area (“EEA”), insofar as these partners require your data to execute your workshop orders. This occurs in particular in the event of work performed under warranty or in the interests of goodwill, or to comply with the service and maintenance agreements for your devices and to provide the online services you have ordered.

### **6.6 Data transmission to credit agencies**

We transmit personal data acquired in the course of the business relationship with you about the application for, realisation and end of our business relationship and data about non-contractual behaviour to

- Verband der Vereine Creditreform e.V., Hellersbergstraße 12, 41460 Neuss
- CRIF Bürgel GmbH, Radkoferstraße 2, 81373 Munich
- SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden
- EOS KSI Inkasso Deutschland GmbH (“EOS KSI”) DDMonitor ...

insofar as this is legally permitted.

### **6.7 Transmission to credit institutes and payment service providers**

Additionally, we transmit your personal data in relation to conducting business relationships concerning products and services to credit institutes and payment service providers for billing and payment settlement purposes, insofar as you have given your consent to this or insofar as this is legally permitted.

## **7. Transmission of your data in a third country or to an international organization**

Data is not transmitted to countries outside the EU or the EEA (so-called third countries), unless we are obliged to do so to comply with official or judicial instructions.

## **8. Automated decision-making**

In the course of assessing your ability to pay, we shall obtain an assessment of the payment default risk from the credit agencies listed under point 5.2 or 6.6 (Creditreform, CRIF Bürgel, Schufa, EOS KSI) based on a scientifically recognised mathematical-statistical process and a plausibility check on the provided email address (scoring), so as to protect our legitimate interests when acquiring new customers or when changes are made to customer master data (surname, first name, address, email address, bank details). The personal data required for the credit assessment and plausibility check (surname, first name, address, email address, bank details) is transmitted to these credit agencies. For the credit assessment, the listed companies calculate a statistical probability of payment default (profiling), expressed as a so-called score. We make our decision about whether to go ahead with the contractual relationship based on this score. Please note that your address data is also taken into account when calculating the score.

## **9. Duration of data storage**

We process and store your personal data only for as long as necessary in the performance of contractual or legal obligations. If there is no longer any legal basis for processing your data, we shall delete the data or, where this is not possible, we shall block any personal reference to you in our systems in accordance with data protection regulations. In this context we retain your data in particular as follows:

the periods for fulfilling commercial and/or fiscal retention obligations are 6 and 10 years respectively in accordance with legal requirements. We retain billing documents for this period accordingly.

Pursuant to the requirements of the German Civil Code (BGB), limitation regulations can amount to up to 30 years, whereby the regular limitation period is three years. Therefore, we retain contractual documents and documents relating to the contract in accordance with the limitation regulations of the BGB.

## **10. Online-based Audio and Video Conferences (Conference tools)**

### **Data processing**

We use online conference tools, among other things, for communication with our customers. The tools we use are listed in detail below. If you communicate with us by video or audio conference using the Internet, your personal data will be collected and processed by the provider of the respective conference tool and by us. The conferencing tools collect all information that you provide/access to use the tools (email address and/or your phone number). Furthermore, the conference tools process the duration of the conference, start and end (time) of participation in the conference, number of participants and other "context information" related to the communication process (metadata).

Furthermore, the provider of the tool processes all the technical data required for the processing of the online communication. This includes, in particular, IP addresses, MAC addresses, device IDs, device type, operating system type and version, client version, camera type, microphone or loudspeaker and the type of connection.

Should content be exchanged, uploaded, or otherwise made available within the tool, it is also stored on the servers of the tool provider. Such content includes, but is not limited to, cloud recordings, chat/ instant messages, voicemail uploaded photos and videos, files, whiteboards, and other information shared while using the service.



Please note that we do not have complete influence on the data processing procedures of the tools used. Our possibilities are largely determined by the corporate policy of the respective provider. Further information on data processing by the conference tools can be found in the data protection declarations of the tools used, and which we have listed below this text.

### **Purpose and legal bases**

The conference tools are used to communicate with prospective or existing contractual partners or to offer certain services to our customers (Art. 6 para. 1 sentence 1 lit. b GDPR). Furthermore, the use of the tools serves to generally simplify and accelerate communication with us or our company (legitimate interest in the meaning of Art. 6 para. 1 lit. f GDPR). Insofar as consent has been requested, the tools in question will be used on the basis of this consent; the consent may be revoked at any time with effect from that date.

### **Duration of storage**

Data collected directly by us via the video and conference tools will be deleted from our systems immediately after you request us to delete it, revoke your consent to storage, or the reason for storing the data no longer applies. Stored cookies remain on your end device until you delete them. Mandatory legal retention periods remain unaffected.

We have no influence on the duration of storage of your data that is stored by the operators of the conference tools for their own purposes. For details, please directly contact the operators of the conference tools.

### **Conference tools used**

We employ the following conference tools:

Microsoft Teams 7 / 9 We use Microsoft Teams. The provider is Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA. For details on data processing, please refer to the Microsoft Teams privacy policy: <https://privacy.microsoft.com/en-us/privacystatement>.

Execution of a contract data processing agreement

We have entered into a contract data processing agreement with the provider of Microsoft Teams and implement the strict provisions of the German data protection agencies to the fullest when using Microsoft Teams

## **11. Your rights with respect to Seeberger GmbH**

You have extensive rights with regard to the processing of your personal data. It is very important to us that you understand these rights:

right of information: you have the right to information about the data we have stored about you, especially the purpose for which processing is effected and for how long the data is stored (Article 15 GDPR).

right to rectify inaccurate data: you have a right to immediate rectification and/or completion, insofar as the processed personal data proves to be inaccurate or incomplete (article 16 GDPR).

right to erasure: you have the right to demand the erasure of personal data relating to you. You can demand the erasure of your data if we, e.g. no longer need the personal data for the purposes for which it was collected or otherwise processed, if we have processed the data improperly or you have legitimately objected to the processing or you have withdrawn your consent or if there is a legal obligation to erase (Article 17 GDPR).

right to restriction of processing: you have the right to demand the restriction of processing of



your data. This right exists in particular as regards the period required to verify the data, if you have disputed the accuracy of the data concerning you and, where you have an existing right to erasure, in the event that you would like restricted processing rather than erasure. Processing is also restricted in the event that we no longer require the data for our intended purposes, but you

require the data to establish, exercise or defend legal claims, and if you have objected to processing and we are contesting the legitimacy of said objection (Article 18 GDPR).

right to data portability: you have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format (Article 20 GDPR), providing this has not already been deleted.

If you wish to assert one of your rights or would like more information about this, please send an email to [datenschutz@seeberger.de](mailto:datenschutz@seeberger.de) or write to Seeberger GmbH, Hans-Lorensen-Straße 36, 89079 Ulm.

### **11. Right to withdraw data protection consent that has been given**

You may at any time withdraw your consent to the processing of personal data, free of charge and with effect for the future. This also applies to consent declarations that were made before the GDPR came into force, i.e. before 25th May 2018.

You may revoke a consent declaration by sending an email to [datenschutz@seeberger.de](mailto:datenschutz@seeberger.de) or by writing to Seeberger GmbH, Hans-Lorensen-Straße 36, 89079 Ulm. Please note that the withdrawal of consent will only apply on receipt by us and only for the future. If you, for example, withdraw your consent to the use of your data for marketing purposes, we shall send you no further marketing in the future once we have received your withdrawal of consent. Withdrawing your consent does not affect the legitimacy of the processing conducted up to that point on the basis of your consent.

### **Right to object**

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6(1) (Article 21 GDPR). We shall stop processing your personal data, unless we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims. In the event that you object to your data being used for marketing purposes, we shall no longer process

your data for these purposes.

If you wish to object to the processing of your personal data, send us an email to [datenschutz@seeberger.de](mailto:datenschutz@seeberger.de) or write to Seeberger GmbH, Hans-Lorensen-Straße 36, 89079 Ulm.

### **Right to complain to the supervisory authority**

If you believe that we have infringed the GDPR in the processing of personal data concerning you, you have the right to complain to the supervisory authority, e.g. the data protection authority with competence for your place of residence, your place of work or for the place where the infringement of data protection occurred.

As at March 2024

Seeberger GmbH