

DATA PROTECTION INFORMATION FOR CUSTOMERS AND POTENTIAL CUSTOMERS bluetelligence GmbH

Information on data protection regarding our processing of customer data in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

Dear customer, dear prospective customer,

Your privacy is important for us. We take the protection of your personal data and their confidential treatment very seriously. Your data will be processed exclusively within the legal framework of the data protection provisions of the European Union, particularly the General Data Protection Regulation (hereinafter: "GDPR").

In accordance with Articles Art. 13, 14 and 21 GDPR we hereby inform you about the processing of your personal data and your data protection rights

DATA CONTROLLER IN ACCORDANCE WITH THE DATA PROTECTION LEGISLATION

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1. CONTACT INFORMATION OF DATA PROTECTION OFFICER

PROLIANCE GmbH / www.datenschutzexperte.de
Data Protection Officer
Leopoldstr. 21
80802 München
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datenschutzbeauftragter@datenschutzexperte.de

2. SUBJECT MATTER

The subject matter of this Privacy Policy is personal data.

"Personal data" means any information relating to an identified or identifiable natural person ("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.

This shall include data such as the name, email account, phone number, position and/or role, but also any other information that may be relevant before or during a business relationship.

3. PURPOSE AND LEGAL BASIS FOR DATA PROCESSING

3.1. DATA PROCESSING FOR CONTRACTUAL RELATIONS

We process your personal data in accordance with the provisions of the European Data Protection Ordinance (GDPR) and the Federal Data Protection Act (BDSG) for the purpose of establishing, implementing and fulfilling a contract as well as conducting pre-contractual measures. To the extent that the disclosure of personal data is required for the initiation or execution of contractual relationships or in the context of the execution of pre-contractual measures, the processing of Art. 6 para. 1 lit. b DSGVO is legal.

3.2. DATA PROCESSING DUE TO LEGAL OBLIGATIONS

If necessary and legally permissible, we will also process your personal data for the purpose of compliance with statutory requirements that apply to us (Art. 6 par. 1 lit. c GDPR). These requirements may exist under the trade, tax, money laundering, financial, or criminal code. The processing purposes are determined by the applicable statutory duty; generally, data processing will only serve the purpose of compliance with monitoring and disclosure duties under national law.

DATA PROCESSING DUE TO LEGITIMATE INTEREST

We will also process personal data for the purpose of exercising our own legitimate interests or those of third parties. The legitimate interests, which coincide with the particular purpose, include, but are not limited to: Ensure the technical operation, responding to inquiries that are not related to the contract, ensure data security, ensure data availability, and rectification of errors and faults.

Your data will be processed pursuant to Art. 6, par. 1, lit. f of the GDPR. In cases in which you must provide data for this purpose, we expressly point this out. In the absence of this information, we may not be able to process your inquiry.

3.3. DATA PROCESSING FOR ADVERTISING PURPOSES

Customer loyalty and advertising measures are subject to further legal requirements. Processing personal data for advertising purposes is permitted, provided that this use is compatible with the purpose for which this data had initially been collected. If data is exclusively collected for advertising purposes, we need your consent to the processing of your data for advertising purposes.

If you withdraw your consent to the use of your data for advertising purposes, the further use of your data for these purposes is inadmissible and your data will be deleted for these purposes immediately with effect for the future.

DATA PROCESSING DUE TO CONSENT

In case the data subject expresses consent to the processing of personal data for specific purposes (e.g. forwarding of data to third parties, data analyses for marketing purposes, advertising), Art. 6, par. 1, lit. a of the European General Data Protection Regulation (GDPR) forms the legal basis for processing this personal data. Consent given can be revoked at any time (see section 9 of this data protection information). Please note that the withdraw will only have effect to the future. Processing previous to the revocation is not affected by this.

4. CATEGORIES OF PERSONAL DATA

We only process such personal data that is relating to contract processing or pre-contractual measures. This is general data about you and/or other members of your company:

- Professional contact and organizational data such as first and last name, title, company address, professional e-mail address, professional mobile number, if applicable job title and department designation
- Additional information which we might receive from you or third-parties with regard to the justification of the contract.

5. SOURCES OF PERSONAL DATA

We process personal data which we received from contacting, establishing the contractual relationship or within the framework of pre-contractual measures.

If we initially contact you by phone, we have generated your data from public sources.

Our interest in the initial telephone contact outweighs the interest of the data subject, since we exclusively address B2B customers via contact channels available from public sources and the contact refers to specific processes in connection with the business activity of the data subject.

During this initial phone call, we will inquire whether this particular person is interested in establishing a contact.

6. RECIPIENTS OF PERSONAL DATA

Within our company, we pass your personal data exclusively to those departments which need this data to fulfil their contractual and legal obligations or to implement our legitimate interest.

Data will only be passed on to recipients outside the company if this is permitted or required by law, if this is necessary for processing the contract or, at your request, for implementing pre-contractual measures, 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 and non-public authorities and institutions (e.g. public prosecution, police, regulating and tax authorities) in the presence of a legal or official obligation.
- Bodies for which you have given us your consent to the transfer of data.
- Our service providers, who perform services for us on the basis of separately agreed contractual arrangements, which can also include the processing of personal data, as well as with our permission authorized subcontractors of our service providers.

If your personal data is processed by commissioned service providers, these activities will be carried out within the framework of data processing pursuant to Art. 28 of the GDPR. The aforementioned service providers only receive access to such personal information that is necessary for the performance of the respective activity. These service providers are not allowed to pass on your personal data or to use it for any other purpose, in particular, for their own advertising or marketing purposes. Insofar as external service providers come into contact with your personal data, we have taken legal, technical and organisational measures as well as regular checks to ensure that they also comply with the applicable data protection regulations. Your personal data will not be transmitted to other companies for commercial purposes.

The categories of recipients are in particular:

- Host provider
- Provider of customer management systems and -software
- Provider of ticketing systems
- Partner for further development of our software
- Provider of mailing systems

7. DATA PROCESSING IN THIRD COUNTRIES

In case that data is transmitted to third parties whose registered office, place of residence, or place of data processing is not within a member state of the European Union or another country that is a party to the Agreement on the European Economic Area, we will ensure prior to passing on your data that, except for the statutorily permitted exceptions, the recipient complies with a reasonable level of data protection (e.g., based on an adequacy decision of the European Commission, based on appropriate guarantees such as the agreement on the so-called EU Standard Contract Clauses of the European Union with the recipient) or that you have provided your sufficient consent.

Data is only transferred outside EU member states, states not forming part of the EEA and international organizations, to the extent that this is required for the proper handling of contractual relationship or upon your request to implement pre-contractual measures, the transfer is required by an applicable law or in case you have given consent to do so.

8. PERIOD OF DATA STORAGE AND ERASION OF PERSONAL DATA

If necessary, we process and store your personal data for the duration of our business relationship, which also includes, for example, the initiation and execution of a contract or to fulfil contractual purposes.

We store your personal data only for the length of time necessary to fulfill the intended purposes, or – in the case of consent – until you withdraw your consent. If you withdraw your consent to process your personal data, we will delete it unless their further processing is permitted under the relevant legal provisions. We will also delete your personal data if we are obliged to do so for other legal reasons.

In addition, we are subject to various storage and documentation obligations, which result, among others, from the German Commercial Code (HGB) and the Tax Code (AO). The time periods prescribed for the retention and documentation ranging from two to ten years are specified there.

Finally, the storage period is also assessed according to the statutory limitation periods, which for example can generally amount to three years, pursuant to §§ 195 et seq. of the German Civil Code (BGB), but in certain cases also up to thirty years.

9. YOUR RIGHTS

All data subjects have the following rights:

- **Right of access pursuant to Article 15 of the GDPR**
You have the right to request confirmation from us as to whether personal data relating to you is being processed. If we have processed your personal data, you are entitled to further rights to access set forth in Article 15 of the GDPR.
- **Right to rectification pursuant to Article 16 GDPR**
If data that we collected from you is incorrect or incomplete, you may claim the rectification without undue delay pursuant to Article 16 of the GDPR.
- **Right to erasure pursuant to Article 17 GDPR**
If one or more of the grounds listed in Article 17 par. 1 of the GDPR apply, you may claim the erasure of personal data concerning you without undue delay, unless there is an exception pursuant to Article 17, par. 3 of the GDPR.

- **Right to restriction of processing pursuant to Art. 18 DSGVO**
 Subject to Article 18 GDPR, you may also have the right to claim the restriction of processing of personal data concerning you. Where processing has been restricted, your personal data shall only be processed with your consent or for the assertion, 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 of a Member State. We will notify you before the restriction is lifted.
- **Right to notification pursuant to Article 19 GDPR**
 If you have asserted the right to rectification, erasure of personal data, or restriction of processing, we are obligated pursuant to Article 19 of the GDPR to notify all recipients to whom personal data has been disclosed, unless this proves impossible or involves disproportionate effort. In addition, you have the right to be informed about who these recipients are. You may exercise your right to be informed of those recipients against the controller.
- **Right to data portability pursuant to Article 20 GDPR**
 Furthermore, pursuant to Article 20 of the GDPR, you have the right to receive the personal data concerning you in machine readable format and to transmit this data to another controller without hindrance, provided, however, that the conditions enumerated in Article 20, par. 1, lit. a of the GDPR exist or to demand to have the personal data transmitted directly from us another controller, where technically feasible and if this does not adversely affect the rights and freedoms of others. This right shall not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- **Right to lodge complaints with the supervisory authority pursuant to Article 77 GDPR**
 You have the right to lodge a complaint with the competent supervisory authority, if you consider that the processing of your personal data violates the applicable statutory provisions, rules, and regulations. The right of appeal is without prejudice to any other administrative or judicial remedy.
- **Right to withdraw the consent under data protection law, rules, and regulations**
 If the processing of data is based on your consent, you are entitled according to Art. 7 DSGVO to revoke your consent to the use of your personal data at any time with effect for the future. Please note that we may be required to retain certain data for a certain period of time in order to comply with legal requirements.
- **Right to object**
 If processing of personal data concerning you takes place to protect legitimate interests on the basis of Art. 6 para. 1 lit. f DSGVO, you have the right pursuant to Art. 21 DSGVO to object to the processing of this data at any time on legitimate grounds relating to your particular situation.
 We shall not longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or if the processing serves the assertion, exercise or defense of legal claims.
 In individual cases we process your personal data for direct marketing purposes. You have the right to object at any time to the processing of personal data concerning you for the purpose of such advertising; this also applies to profiling, insofar as it is associated with such direct advertising. If you object to the processing for direct advertising purposes, we will no longer process your personal data for these purposes.

If you should have any questions on the processing of your personal data, your rights as a data subject, or any consent that may have been granted, you may contact us free of charge using the above-mentioned details.

10. REQUIREMENT OF PROVIDING PERSONAL DATA

In general, the provision of personal data for the establishment, fulfilment or implementation of pre-contractual measures is neither required by law nor by contract. You are therefore not obliged to provide personal data. However, the provision of personal data is generally necessary for the decision to conclude or fulfil a contract or for pre-contractual measures. You should and must always provide only those personal data which are necessary for the conclusion of the contract, the fulfilment of the contract or pre-contractual measures. If you do not provide us with required personal data, we may not be able to decide within the framework of contractual measures or answer your inquiry.

11. AUTOMATED DECISION-MAKING

We neither use automated decision-making pursuant to Article 22 of the GDPR nor profiling.

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