

DATA PROTECTION INFORMATION FOR OUR CUSTOMERS (M/F/D) AND BUSINESS PARTNERS

OUR HANDLING OF YOUR DATA AND YOUR RIGHTS

INFORMATION IN ACCORDANCE WITH ART. 13, 14 AND 21 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)

The following information provides you with an overview of the processing of your personal data and your rights. Which data is processed in detail and how it is used depends largely on the agreed contracts or services.

1. WHO IS RESPONSIBLE FOR DATA PROCESSING AND WHO CAN I CONTACT?

The person responsible is the

stratEDI Gesellschaft für Kommunikationskonzepte und -lösungen mbH

Lusebrink 9
58285 Gevelsberg
Phone: +49 2332 66600-0
Email: edi-support@stratedi.de

You can reach our [data protection officer](#) at

GDI Gesellschaft für Datenschutz und Informationssicherheit mbH Mr Dipl.-Inform. Olaf Tenti

Körnerstr. 45, 58095 Hagen
Phone: +49 (0) 2331/356832-0
E-mail: datenschutz@gdi-mbh.eu

2. WHICH SOURCES AND DATA DO WE USE?

We process data that we receive directly from you in the context of our business relationship, e.g. in the context of concluding a contract or placing an order, enquiries, offers and consultations.

Specifically, we process the following data:

- Master data from the contract documents (e.g. name, address and contact details, bank details),
- Data in connection with the performance of the contract (e.g. subject matter of the contract, billing address, method and type of payment, contact person), correspondence (e.g. correspondence with you),
- Advertising and sales data.

3. WHY DO WE PROCESS YOUR DATA (PURPOSE OF PROCESSING) AND ON WHAT LEGAL BASIS?

In the following, we will inform you what we process your data for and on what legal basis.

3.1 FOR THE FULFILMENT OF CONTRACTUAL OBLIGATIONS (ART. 6 PARA. 1 LIT. B GDPR)

We process your data to fulfil our contracts with you, i.e. in particular to execute your orders and provide our services to you. The purposes of data processing depend in detail on the specific services and the contractual documents.

3.2 AS PART OF THE BALANCING OF INTERESTS (ART. 6 PARA. 1 LIT. F GDPR)

We may also use your data on the basis of a balancing of interests to protect our legitimate interests or those of third parties. This is done for the following purposes:

- Supporting our employees in advising and supporting business customers and in sales,
- General business management and further development of services and products,
- Advertising, market and opinion research, customer satisfaction surveys,
- Assertion of legal claims and defence in legal disputes,
- Prevention and investigation of criminal offences,
- Ensuring IT security and IT operations,

Our interest in the respective processing results from the respective purposes and is otherwise of an economic nature (efficient fulfilment of tasks, sales, avoidance of legal risks). Where permitted by the specific purpose, we process your data in pseudonymised or anonymised form.

3.3 ON THE BASIS OF YOUR CONSENT (ART. 6 PARA. 1 LIT. A GDPR)

If you have given us your consent to process personal data, the respective consent is the legal basis for the processing mentioned there.

You may also have consented to being contacted by e-mail or telephone for advertising purposes.

Consent can be withdrawn at any time. This also applies to the withdrawal of declarations of consent that were issued before the GDPR came into force, i.e. before 25 May 2018. The revocation is only effective for the future. Processing that took place before the revocation is not affected. A revocation can be sent to the office named under point 1.

3.4 DUE TO LEGAL REQUIREMENTS (ART 6 PARA. 1 LIT. C GDPR)

We may process your data insofar as this is necessary to fulfil legal, in particular statutory obligations to which we are subject. This applies in particular to retention obligations under tax and commercial law arising from the German Commercial Code (HGB) or the German Fiscal Code (AO).

4 WHO RECEIVES MY DATA?

Your data will only be passed on if a legal basis permits this. Within our company, those departments will receive your data that require it to fulfil our contractual and legal obligations or to fulfil their respective tasks. The vicarious agents employed by us may also receive data for the aforementioned purposes. These are, for example, tax consultancy firms, law firms and the like

Furthermore, personal data may be passed on for the purpose of and within the scope of order processing (Art. 28 GDPR). This is the case for processors we use, particularly in the area of IT services and logistics, who process your data for us in accordance with our instructions.

In addition, the following organisations may receive your data:

- public bodies and institutions (e.g. tax authorities, customs administration) in the event of a legal or official obligation, and
- other bodies for which you have given us your consent to transfer data.

5 HOW LONG IS THE DATA STORED?

Where necessary, we process your personal data for the duration of our business relationship, which also includes the initiation and fulfilment of a contract. In addition, we are subject to various retention and documentation obligations, including those arising from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified there are two to ten years.

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

6 WILL DATA BE TRANSFERRED TO A THIRD COUNTRY?

Your data will only be transferred to countries outside the European Economic Area - EEA (third countries) if and insofar as this is necessary for the execution of the contractual relationship or required by law (e.g. accounting, administration) or if you have given us your consent.

If we use software from providers based in third countries or software from providers with subcontractors/service providers in third countries to fulfil our contractual relationship, your data or parts of your data may be transferred to third countries (e.g. to the USA), depending on the purpose of processing.

An adequacy decision within the meaning of Art. 45 para. 3 GDPR exists for the USA. As a result, personal data can now be transferred from the EU to companies and organisations in the USA that have certified themselves for the EU-U.S. Data Privacy Framework without the need for further protective measures. This adequacy decision thus serves as the basis for the transfer of data to the service providers we use in the USA.

If there is no adequacy decision within the meaning of Art. 45 para. 3 GDPR or the company or organisation in the USA has not certified itself for the EU-U.S. Data Privacy Framework, we conclude standard data protection clauses issued by the EU Commission within the meaning of Art. 46 para. 2 lit. c GDPR with the respective service providers/providers to protect your data. Furthermore, some of our service providers have implemented binding corporate rules (BCR) within the meaning of Art. 47 GDPR for their group of companies or the same group of companies, which have been approved by the respective competent supervisory authority.

7 WHAT OTHER DATA PROTECTION RIGHTS DO I HAVE?

Under the respective legal requirements, you have the right to information (Art. 15 GDPR, § 34 Federal Data Protection Act (BDSG) in the version valid from 25 May 2018), to rectification (Art. 16 GDPR), to

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erasure (Art. 17 GDPR, § 35 BDSG), to restriction of processing (Art. 18 GDPR) and to data portability (Art. 20 GDPR).

You also have the right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR, Section 19 BDSG).

8 DO I HAVE AN OBLIGATION TO PROVIDE DATA?

As part of our business relationship, you only need to provide the personal data that is required for the establishment, implementation and termination of a business relationship or that we are legally obliged to collect.

Without this data, we will generally have to refuse to conclude the contract or execute the order or will no longer be able to fulfil an existing contract and may have to terminate it.

9 TO WHAT EXTENT IS THERE AUTOMATED DECISION-MAKING IN INDIVIDUAL CASES?

We do not use automated decision-making in accordance with Art. 22 GDPR to establish and conduct the business relationship. Should we use these procedures in individual cases, we will inform you of this separately if this is required by law.

10 TO WHAT EXTENT WILL MY DATA BE USED FOR PROFILING?

We do not process your data with the aim of evaluating certain personal aspects (so-called "profiling").

11 WHAT RIGHTS OF OBJECTION DO I HAVE? (ART. 21 GDPR)

11.1 INDIVIDUAL RIGHT OF OBJECTION

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 (f) of Article 6(1) GDPR (data processing on the basis of a balancing of interests); this also applies to profiling based on this provision within the meaning of Article 4(4) GDPR.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the establishment, exercise or defence of legal claims.

11.2 RIGHT TO OBJECT TO THE PROCESSING OF DATA FOR DIRECT MARKETING PURPOSES

We may also process your data for direct marketing purposes within the scope of the statutory provisions. 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 processing for direct marketing purposes, we will no longer process your personal data for these purposes.

The objection can be made informally and should preferably be addressed to the contact options mentioned under point 1.

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