

## Your Right to Information

According to the General Data Protection Regulation (GDPR) you have the right to receive information.

### 1. Who is responsible for data processing and who can you contact about such matters?

The party responsible is SOFiSTiK AG, Bruckmannring 38, Oberschleissheim, Germany, info@sofistik.de

The Data Protection Officer at SOFiSTiK AG is:

Richard Söldner  
Projekt 29 GmbH & Co. KG  
Ostengasse 14  
93047 Regensburg, Germany  
Email: [rs@projekt29.de](mailto:rs@projekt29.de)  
Tel.: +49 941-2986930

### 2. Which data is processed and which sources does this data originate from?

We process the data which we have received from you within the framework of the Licence Agreement, Software Service Agreement or their processing, on the basis of consent that you have given or within the framework of your work as a member of our staff.

#### The personal data includes:

your master/contact data, which includes e.g. your first and last name, address, contact data (email address, telephone number, fax), bank and/or payment data in the case of purchasers.

For **applicants and employees** this includes, for example, the first and last name, address, contact data (email address, telephone number), date of birth, data from the curriculum vitae and job references, bank data, religious affiliation.

For **suppliers and customers** this includes, for example, the designation or company name, VAT number, address, contact data of the contact person (email address, telephone number, fax), bank details.

In addition, we also process the following other personal data:

- information on the type and contents of contract data, order data, turnover and document data, customer and supplier history and consulting documents,
- advertising and sales data,
- information from your electronic correspondence with SOFiSTiK AG (e.g. IP address, log-in data),
- other data that we have received from you within the context of our business relationship (e.g. as part of customer discussions, support tickets),
- data that we generate ourselves from master/contact data and other data, such as customer requirement and customer potential analyses,
- the documentation of your declaration of consent for the receipt of e.g. newsletters.

### 3. For what purposes and on what legal basis is the data processed?

We process your data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Federal Data Protection Act 2018, as amended:

- **for the fulfilment of (pre-)contractual obligations (Art. 6, para. 1(b) GDPR):**  
Your data is processed for the execution of contracts relating to your purchases on-line or in one of our branches or for the contractual processing of your position as a member of staff in our

company. The data will be processed in particular during the initiation of business transactions and the execution of the contracts with you.

▪ **for the fulfilment of legal obligations (Art. 6, para. 1(c) GDPR):**

The processing of your data is necessary for the purposes of fulfilling different legal obligations, e.g. from the German Commercial Code or German Tax Code.

▪ **for the safeguarding of legitimate interests (Art. 6, para. 1 (f) GDPR):**

On the basis of a weighing of interests, data processing may be carried out beyond the actual fulfilment of the contract in order to safeguard the legitimate interests of us or third parties. Data processing to safeguard legitimate interests is carried out in the following cases, for example:

- advertising or marketing (see Section 4),
- measures for business management and the further development of services and products;
- maintenance of a group-wide customer database to improve customer service
- in connection with legal proceedings.

▪ **within the context of your consent (Art. 6, para. 1(a) GDPR):**

If you have given us your consent to process your data, e.g. for the delivery of our newsletter, processing will only be carried out in accordance with the purposes specified in the declaration of consent and to the extent agreed therein. Any consent that has been granted can be revoked at any time with future effect.

#### **4. Processing of Personal Data for Advertising Purposes**

You can object at any time to the use of your personal data for advertising purposes overall or for individual measures without incurring any costs other than the transmission costs according to the basic tariffs.

SOFiSTiK AG is entitled under the legal requirements of Section 7, paragraph 3 of the German Unfair Competition Act (UWG) to use the email address you provided when concluding the contract for direct advertising for its own similar goods or services. You will receive these product recommendations from us regardless of whether you have subscribed to a newsletter or not.

If you do not wish to receive such recommendations by email from us, you can object to the use of your address for this purpose at any time without incurring any costs other than the transmission costs according to the basic tariffs. A text message is sufficient for this purpose. An unsubscribe link is of course available in every email.

#### **5. Who receives my data?**

If we use a service provider for the purposes of order processing, we nevertheless remain responsible for the protection of your data. All order processors are contractually obliged to treat your data confidentially and to process it only within the scope of the service provision. The order processors commissioned by us will receive your data, provided that they require the data for the performance of their respective services. These are, for example, IT service providers that we need for the operation and security of our IT system, as well as advertising and address publishers for our own advertising campaigns.

Your data will be processed in the SOFiSTiK AG customer database. The SOFiSTiK AG customer database promotes the improvement of the data quality of the existing customer data (duplicate cleaning, address correction) and enables enrichment with data from public sources.

This data is made available to the group companies of SOFiSTiK AG if it is required for contract execution. Customer data is stored separately for each company, with SOFiSTiK AG acting as a service provider for the individual participating companies.

Public authorities and courts, as well as external auditors, may be recipients of your data if there is a legal obligation and within the context of legal action.

Furthermore, insurance companies, banks, credit agencies and service providers may be provided with your data for the purpose of initiating and fulfilling contracts.

## **6. How long will my data be stored?**

We process your data until the termination of the business relationship or until the expiry of the applicable statutory retention periods (e.g. from the German Commercial Code, the Tax Code, the Nursing Home Act or the Working Hours Act); in addition, until the termination of any legal disputes in which the data is required as evidence.

## **7. Is personal data transferred to a third country?**

As a matter of principle, we do not transfer any data to a third country. Such transfer will only take place in individual cases on the basis of an adequacy decision of the European Commission, standard contractual clauses, appropriate safeguards or your express consent.

## **8. What data protection rights do I have?**

You have a right to information, rectification, erasure or restriction of the processing of your stored data, a right of objection to the processing as well as a right to data portability and a right to complain in accordance with the requirements of data protection law.

### **Right to information:**

You can request information from us concerning whether and to what extent we process your data.

### **Right to rectification:**

If we process your data that is incomplete or incorrect, you can request that we rectify or complete such data at any time.

### **Right to erasure:**

You can request that we erase your data if we process it unlawfully or if the processing interferes disproportionately with your legitimate protection interests. Please note that there may be reasons that prevent immediate erasure, e.g. in the case of legally regulated retention obligations.

Irrespective of the exercising of your right to erasure, we will erase your data immediately and completely, unless there is a contractual or legal obligation to retain it.

### **Right to the limitation of processing:**

You may request that we restrict the processing of your data if

- you dispute the accuracy of the data, namely for a period of time that enables us to verify the accuracy of the data.
- the processing of the data is unlawful, but you reject its deletion and instead request a restriction on the use of the data,
- we no longer need the data for the intended purpose, but you still need this data to assert or defend legal claims, or
- you have lodged an objection to the processing of the data.

### **Right to data portability:**

You may request us to provide you with the data you have made available to us in a structured, current and machine-readable format and to allow you to forward this data to another responsible party without our interference, provided that

- we process this data on the basis of an agreement which you have submitted and which is revocable or in order to fulfil a contract between us, and
- this processing is carried out using automated methods.

If it is technically feasible, you can ask us to transfer your data directly to another responsible party.

**Right of objection:**

If we process your data on the basis of a legitimate interest, you can object to this data processing at any time; this would also apply to any profiling which is based on these provisions. We will then no longer process your data unless we can prove compelling reasons worthy of protection for the processing that outweigh your interests, rights and freedoms or the processing serves to assert, exercise or defend legal claims. You can object to the processing of your data for the purposes of direct advertising at any time without stating any reasons.

**Right of appeal:**

If you are of the opinion that we are infringing German or European data protection law when processing your data, please contact us so that we can clarify any questions. Of course you also have the right to contact the supervisory authority which is responsible for you, i.e. the respective State Office for Data Protection Supervision.

If you wish to assert any of the above rights against us, please contact our Data Protection Officer. In cases of doubt we may request additional information to confirm your identity.

**9. Am I obliged to provide data?**

The processing of your data is necessary to conclude or fulfil your contract with us. If you do not provide us with this data, we will generally have to refuse to enter into the contract or will no longer be able to implement an existing contract and will therefore have to terminate it. However, you are not obliged to give your consent to data processing with regard to data which is not relevant for the fulfilment of the contract or which is not required by law.