

# Data Protection Policy

## (As of May 25, 2018)

Thank you for your interest in our company. Protecting your personal data is important to us. In accordance with Articles 12, 13, 14, and 21 of the General Data Protection Regulation (GDPR), we hereby inform you about the processing of your personal data when you establish, execute, and terminate a contract or an event with us.

Personal data is individual information on personal and factual circumstances of a specific or identifiable natural person. This includes information such as real name, address, telephone number, and date of birth.

### I. Controller

Controller as defined by the General Data Protection Regulation	Contact details of our data protection officer
GS1 Germany GmbH Stolberger Straße 108a   50825 Köln E <a href="mailto:info@gs1-germany.de">info@gs1-germany.de</a> F +49 221 94714-990	Tamim Ghazi Maarweg 133   50825 Köln E <a href="mailto:datenschutz@gs1-germany.de">datenschutz@gs1-germany.de</a> F +49 221 94714-990

### II. Purpose and legal basis of data processing

#### 1. Conclusion of contracts and registration for events

If you conclude a contract with us or register for an event subject to or free of charge, and this is not done via our website but through other communication channels (e.g. e-mail, telephone, in person), we process your personal data, which you make available to us as part of the conclusion of the contract or registration and which is necessary for the conclusion of the contract and the provision of our products or services, to establish, execute, and, if necessary, terminate our contracts/ events with you, as described below.

Information on the handling of your personal data on our website can be found on our website at [www.gs1-germany.de/datenschutz](http://www.gs1-germany.de/datenschutz).

#### **a. Contract conclusion**

If you place an order by telephone, e-mail, or in person (among other channels) for one of our products or services subject to or free of charge, we process your personal data in order to receive and handle your order and to provide you with the products or services you have ordered. We will process the following information if you have provided it to us:

- E-mail address
- Salutation
- Position
- Full name
- Company
- Industry
- Street/house number
- Postal code
- City
- Country
- Phone

We process your personal data to establish, execute, and terminate a contract on the following legal basis:

- to fulfill a contract or to execute pre-contractual measures pursuant to Art. 6 (1) lit. b GDPR.

#### **b. Registering for events**

If you register by phone, e-mail, or personally (among other channels) for an event subject to or free of charge, we process your personal data to accept the registration. In doing so, we process the personal data which the data subject has entered. We will process the following information if you have provided it to us:

##### **Company information**

- Company
- Street
- PO no.
- Postal code
- City
- Country
- If applicable, Industry

##### **Subscriber information**

- Salutation
- Department
- Position
- Full name
- If applicable, Title
- Phone
- E-mail

We process your personal data to establish, execute, and terminate an event on the following legal basis:

- to fulfill a contract or to execute pre-contractual measures pursuant to Art. 6 (1) lit. b GDPR.

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#### **GS1 Germany GmbH**

Maarweg 133, 50825 Köln

**T** +49 221 94714-0 | **F** +49 221 94714-990

**E** [service@gs1-germany.de](mailto:service@gs1-germany.de)

**[www.gs1-germany.de](http://www.gs1-germany.de)**

#### **Connect With Us**



### c. Credit assessment

Should we make advance payments, we reserve the right to obtain credit information on the basis of mathematical-statistical methods from the following company/companies in order to safeguard our legitimate interests:

- Creditreform Boniversum GmbH, Hellersbergstraße 11, 41460 Neuss ([www.boniversum.de](http://www.boniversum.de))
- BID Bayerischer Inkasso Dienst AG, Weichengereuth 26, 96450 Coburg ([www.bid-coburg.de](http://www.bid-coburg.de))

For this purpose, we transmit the personal data required for a credit assessment and use the information received on the statistical probability of default. The credit information can contain probability values (score values) which are calculated on the basis of scientifically recognized mathematical-statistical methods. A large number of features, such as income, address, occupation, marital status, and previous payment performance, are used to assess the customer's future risk of default. The result is expressed in the form of a score. The information thus obtained forms the basis of our decision whether to establish, execute, or terminate a contractual relationship. However, the option to select one of the available payment methods does not depend on such information.

We process your personal data to establish, execute, and terminate a contract on the following legal basis:

- to protect our legitimate interests pursuant to Art. 6 (1) lit. f GDPR. Our legitimate interest is in hedging against the financial risks of our advance payments in order to avoid fraud and to verify identity. Furthermore, the legitimate interests of third parties are in the protection against default and the prevention of fraud.

### d. Data use for direct advertising

If we receive your e-mail address in connection with the contract conclusion and the provision of our products or services, we reserve the right to regularly e-mail you offers for similar products or services from our range if you have not objected to this. You can object to this use of your e-mail address at any time by sending a message to the above contact option or via a link provided for this purpose in the advertising e-mail without incurring any costs other than the transmission costs according to the basic rates.

We process your personal data to forward our newsletter on the following legal basis:

- for e-mail advertising in the aforementioned cases to safeguard our legitimate interests pursuant to Art. 6 (1) lit. f GDPR in conjunction with Art. 7 (3) German Law On Unfair Competition (Gesetz gegen den unlauteren Wettbewerb, UWG); our legitimate interest is in direct advertising for our products and services.

## 2. Data processing during contract execution

During the execution of the contract, we process your personal data as follows:

### a. Provision of services

As far as this is necessary for the fulfillment of the contract, we process your personal data for the provision of services, e.g. to enter into contact with you, to agree upon dates, to clarify further inquiries, and to provide services.

We process your personal data to establish, execute, and terminate a contract on the following legal basis:

- to fulfill a contract or to execute pre-contractual measures pursuant to Art. 6 (1) lit. b GDPR.

### b. Payment

We engage payment service providers and banks for payment processing.

We process your personal data to establish, execute, and terminate a contract on the following legal basis:

- to fulfill a contract or to execute pre-contractual measures pursuant to Art. 6 (1) lit. b GDPR.

### c. Compliance with statutory regulations

We also process your personal data in order to fulfill other legal obligations that affect us in connection with the execution of the contract. This particularly includes retention periods under commercial, trade, or tax law.

We process your personal data to establish, execute, and terminate a contract on the following legal basis:

- to fulfill a legal obligation to which we are subject pursuant to Art. 6 (1) lit. c GDPR in connection with commercial, trade, or tax law regulations in particular.

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[www.gs1-germany.de](http://www.gs1-germany.de)

#### Connect With Us



#### d. Enforcement

We also process your personal data in order to assert our rights and enforce our legal claims. In addition, we process your personal data to defend ourselves against legal claims. Finally, we process your personal data to the extent necessary to defend against or prosecute criminal offences.

We process your personal data to enforce our rights:

- to protect our legitimate interests pursuant to Art. 6 (1) lit. f GDPR, insofar as we assert legal claims, defend ourselves in legal disputes, or prevent or clarify criminal offenses.

### III. Recipient categories

Initially, only our employees receive information about your personal data. In addition, to the extent permitted or required by law, we share your personal data with other recipients who provide services to us in connection with contract fulfillment. We limit the transmission of your personal data to what is necessary, especially to process your order. In some cases, our service providers receive your personal data as processors and are then strictly under our direction when handling your personal data. In some cases, the recipients act independently with the data which we transmit to them.

The following section lists the categories of recipients of your personal data:

- If necessary payment service providers and banks for processing payment,
- IT service providers for the administration and hosting of our website or the operation of our apps,
- debt collection companies and legal advisers for the assertion of our claims.

### IV. Transmission to third countries

We do not transmit your personal data to countries outside the EU or EEA or to international organizations.

### V. Storage period

If a business relationship and/or conclusion of a contract occurs, we store your personal data for the duration of our business relationship and/or for the duration of the contractual relationship. This also includes the initiation of a contract (pre-contractual legal relationship) and the execution of a contract.

In addition, we will store your personal data until the commencement of the limitation period for any legal claims arising from the relationship with you in order to use it as evidence if necessary. The limitation period is generally between 12 and 36 months, but can also be up to 30 years.

Upon commencement of the limitation period, we erase your personal data, unless there is a legal obligation to store data, for example according to the German Commercial Code (Sections 238, 257 (4) HGB) or the Fiscal Code of Germany (Section 147 (3), (4) AO). These retention obligations can apply from two to ten years

### VI. Your rights as a data subject

Under the stipulations of the law, you are entitled to the following rights as a data subject which you can assert against us:

**Right of access:** You are entitled to request confirmation from us at any time within the scope of Art. 15 GDPR as to whether we process personal data concerning you; if this is the case, you are also entitled within the scope of Art. 15 GDPR to receive information about this personal data and certain other information (including processing purposes, categories of personal data, categories of recipients, planned storage period, your rights, the origin of the data, the use of automated decisionmaking, and, in the case of transmission to a third country, the appropriate guarantees) and a copy of your data.

**Right to rectification:** In accordance with Art. 16 GDPR, you are entitled to demand that we rectify the personal data stored about you if it is inaccurate or incorrect.

**Right to erasure:** Subject to the provisions of Art. 17 GDPR, you are entitled to request that we erase personal data relating to you without undue delay. Among other things, there is no right of erasure if the processing of personal data is necessary for (i) exercising freedom of expression and information, (ii) fulfilling a legal obligation to which we are subject (e.g. statutory retention obligations) or (iii) the assertion, exercise, or defense of legal claims.

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[www.gs1-germany.de](http://www.gs1-germany.de)

#### Connect With Us



**Right to restriction of processing:** Subject to the provisions of Art. 18 GDPR, you are entitled to require us to restrict the processing of your personal data.

**Right to data portability:** Subject to the provisions of Art. 20 GDPR, you are entitled to require us to provide you with the personal data concerning you that you have provided to us in a structured, commonly used, and machine-readable format.

**Right of revocation:** You have the right to revoke your consent to the processing of personal data at any time with effect for the future.

**Right to object:** Subject to the provisions of Art. 21 GDPR, you are entitled to object to the processing of your personal data, in which case we must stop processing your personal data. The right to object exists only within the limits provided for in Art. 21 GDPR. In addition, our interests may be opposed to the termination of processing, meaning that we are entitled to process your personal data despite your objection.

**Right to lodge a complaint with a supervisory authority:** Subject to the provisions of Art. 77 GDPR, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work, or place of the alleged infringement if you consider that the processing of personal data relating to you infringes this Regulation. The right to lodge a complaint is without prejudice to any other administrative or judicial remedy.

The supervisory authority responsible for us is:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen

Kavalleriestr. 2-4 | 40213 Düsseldorf

T +49 211 38424-0 | F +49 211 38424-10

E [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)

However, we recommend that you always address complaints to our data protection officer first.

If possible, your requests to exercise your rights should be addressed in writing to the above address or directly to our data protection officer.

## VII. Scope of your obligations to provide data

In principle, you are not obliged to provide us with your personal data. However, if you do not do so, we will not be able to answer your questions and enter into a contract with you. Personal data that we do not necessarily require for the abovementioned processing purposes is marked as voluntary information with "If applicable" or another symbol.

## VIII. Automated decision-making/profiling

We do not use automated decision-making or profiling (an automated analysis of your personal circumstances).

### Information on your right to object as per Art. 21 GDPR

I. You have the right to object at any time to the processing of your data on the basis of Art. 6 (1) f GDPR (data processing on the basis of a balance of interests) or Art. 6 (1) e GDPR (data processing in the public interest) if there are reasons for this arising from your particular situation.

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

II. In individual cases, we also process your personal data for direct marketing purposes. If you do not wish to receive advertising, you are entitled to object to it at any time. We will take this objection into account in the future.

If you object to processing for direct marketing purposes, we will no longer process your data for such purposes.

The objection is not subject to any formal requirements and should, if possible, be addressed to:

GS1 Germany GmbH

Stolberger Straße 108a | 50825 Köln

E [widerspruch@gs1-germany.de](mailto:widerspruch@gs1-germany.de)

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