

Stand: 08.07.2021

Data protection notes in accordance with the EU General Data Protection Regulation for authorized representatives of legal entities

according to article 12 et seqq. GDPR

The following information provides you with an overview of the processing of your personal data by us and your rights under data protection law. You can find out which data are processed in detail and how they are used in the following explanations.

Please pass on the information about the current and future authorized persons and beneficial owners of the business contact. This includes e. g. beneficiaries in the event of death, authorized signatories, or guarantors.

Contact details of the responsible body

Company:	IT Sonix custom development GmbH
Address:	Georgiring 3, 04103 Leipzig
Phone:	+49 341 355 76-0
E-mail:	info@itsonix.eu

Contact details of the external data protection officer

Last name:	Flemig
First name:	Holger
Company:	EPRO Consult Dr. Prössel und Partner GmbH
Address:	Nikolaistraße 12-14, 04109 Leipzig
E-mail:	itsonix-gmbh@epro-consult.de

What is personal data?

According to article 4 no. 1 GDPR, personal data are all information relating to an identified or identifiable natural person (hereinafter "the person concerned").

Where do we get your personal information from?

The collection of your data takes place at you. The processing of the personal data provided by you is necessary for the fulfilment of contractual or pre-contractual obligations resulting from the contract concluded with us or for the purpose of concluding a contract with us. Due to your obligation to cooperate, it is essential to provide the personal data requested by us, otherwise we cannot fulfil our contractual obligations. Accounting and / or tax disadvantages for you cannot be excluded otherwise. In the context of pre-contractual measures (e. g. basic data collection in the prospect process), the provision of your personal data is necessary. If the requested data is not provided by you, a contract can not be concluded.

To provide our services, it may be necessary to process personal information that we received from other companies or other third parties, such as tax authorities, your business partners, or the like, for the respective purpose. Furthermore, we may process personal data from publicly available sources, e. g. internet sites, which we use only for the purpose of the contract.

Relevant personal data of the authorized representative may be:

Name, Address / other contact data (phone number, email address), date and place of birth, gender, nationality, marital status, legal capacity, employed / self-employed, identification data (e.g. ID card data), authentication data, (e.g. signature sample), tax ID.

Upon conclusion and use of products / services, additional personal data may be collected, processed and stored in addition to the aforementioned data.

From where do we obtain personal data from your customers?

As part of the remote maintenance and the 3rd-level support for our customers and in case of data migration in customer systems, we obtain personal information from your customers.

Relevant personal data of customers of the legal entity may be:

master data and contact data

Purpose and legal basis of the processing

The personal data provided by you are processed in accordance with the regulations of the European Data Protection Regulation (GDPR) and the Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG):

a) For the fulfillment of contractual obligations (according to article 6 section 1 lit. b GDPR)

The purposes of data processing arise on the one hand from the initiation of pre contractual measures, which precede a contractually regulated business relationship and, on the other hand, to the fulfillment of the obligations arising from the contract concluded with you. These include, for example, the processing of data in connection with our customer service. Further information can be found in your contract documents for the respective product or service (order form, general terms and conditions, service descriptions, etc.).

b) Based on legal requirements (according to article 6 section 1 lit. c GDPR) or in public interest (according to article 6 section 1 lit. e GDPR)

The purposes of data processing arise from legal requirements or are in the public interest (e.g. compliance with retention requirements). We are subject to various legal requirements that may result in an obligation to process personal data: according to commercial, corporate, competition, and tax laws, data protection laws and other general legal obligations or official orders (e.g. from the Federal Network Agency).

c) In the context of a balance of interests (according to article 6 section 1 lit. f GDPR)

We process your personal data if this is necessary for the protection of our interests or the interests of third parties, and if your interests do not predominate. We process personal data in order to protect the following legitimate interests:

- for internal purposes to control and improve our business processes, business analysis, company review, improvement of services and products
- for direct marketing, in order to provide you with suitable similar products for your individual needs, or for sales promotion
- for market and opinion research to gain knowledge about market structures and dynamics

- for the detection and elimination of abuse, for the prevention and investigation of criminal offenses
- to ensure the security and availability of our IT systems, to prevent damage
- for address validation and detection of typing errors to avoid incorrect shipping of products
- for the settlement of contracts with parties involved in the provision and distribution of our services, for billing
- for securing legal claims and defense in litigation
- internal administrative purposes within the company group

d) Based on a given consent (according to article 6 section 1 lit. a GDPR)

The purposes of the processing of personal data arise from a given consent. A given consent can be revoked at any time by you with effect for the future. Consents given prior to the validity GDPR (25 May 2018) can also be revoked. Processing that took place before the revocation remains unaffected by the revocation.

Who receives the personal data provided by you?

Within our company, those people have access to the personal data provided by you, who need the data to fulfill their contractual and legal obligations and which are authorized to process the data.

In fulfillment of the contract concluded with you, only those bodies receive the data provided by you, who need the data for legal reasons, e.g. financial authorities, social security funds, public authorities and courts.

As part of our service delivery, we hire contractors who contribute to fulfilling the contractual obligations, such as: Data center service providers, IT partners, document shredders, etc. These contractors are contractually obliged by us to comply with the professional secrecy and compliance with the requirements GDPR and the Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG).

Who receives the personal data of your customers?

The personal data of your customers will not be disclosed by us.

Are the data provided by you transmitted to third-party countries or international organizations?

Your data will only be processed in Germany and in other European countries. If, in exceptional cases, your data is also processed in countries outside the European Union (i.e. in so-called third-party countries), this is done to the extent you have expressly consented to. or if it is necessary for our provision of services, or if it is required by law (article 49 GDPR). In addition, your data will only be processed in third-party countries if it is ensured by certain measures that an adequate level of data protection exists for this purpose (e.g. appropriateness decision of the European Commission or so-called suitable guarantees, article 44 et seq. GDPR).

Does automated decision making, including profiling, take place?

For the processing of the data provided by you no fully automated decision making (including profiling) according to article 22 GDPR is used.

Duration of processing (criteria for deletion)

The processing of the data provided by you takes place as long as it is necessary to achieve the contractually agreed purpose, at least as long as the contractual relationship with you exists. After the termination of the contract, the data provided by you will be processed to comply with statutory retention requirements or our legitimate interests. After the expiry of the statutory retention periods and / or the loss of our legitimate interests, the data provided by you will be deleted.

Expected deadlines of our storage obligations and our legitimate interests:

- Fulfillment of commercial, tax and professional retention periods. The deadlines for storage and documentation are two to ten years.
- Preservation of evidence under the statute of limitations. According to §§ 195 et seqq. of the Civil Code (Bürgerliches Gesetzbuch, BGB) the limitation periods can be up to 30 years, while the usual limitation period is three years.

Information about your rights

You have the following rights to us regarding your personal data:

- Right to information about your stored personal data (article 15 GDPR),
- Right to correction if the stored data concerning you is erroneous, obsolete or otherwise incorrect (article 16 GDPR),
- Right to deletion if the storage is inadmissible, the purpose of the processing is fulfilled and the storage is therefore no longer required, or if you have revoked a given consent to the processing of certain personal data (article 17 GDPR),
- Right to limitation of processing if one of the requirements in article 18 section 1 lit. a through d GDPR is applicable (article 18 GDPR),
- Right to transfer of the personal data you provided (article 20 GDPR),
- Right to revoke a given consent, whereby the revocation does not affect the legality of the processing that has been carried out until then on the basis of the consent (article 7 section 3 GDPR), and
- Right to complain to a supervisory authority (article 77 GDPR).

Addresses and links to the contact data of the data protection officers in the federal states or the supervisory authorities for the non-public area can be found at:

https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html

Is there a duty for you to provide data?

In the context of our business relationship with the legal entity you represent to us, you must provide us with the personal information necessary to obtain and perform representation/fulfillment and fulfill the related contractual obligations, or to which we are required by law. Without this data, we generally have to reject you as the authorized representative or cancel an existing authorization to represent.

Right of objection

You may object to the processing of your personal data for direct marketing purposes at any time without giving reasons. We will no longer process the personal data for the purposes of direct marketing after receiving the objection and delete the data if processing is not required for other purposes (for example, to fulfill the contract).

The objection must be addressed to IT Sonix custom development GmbH, Georgiring 3, 04103 Leipzig, Germany, Phone +49 341 355 76-0, E-mail: info@itsonix.eu