

## Data protection information according to Art. 13 § 3 GDPR

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### Principles of data processing

As part of this business relationship, your personal data will be processed by the controller and stored for the period required to fulfil the specified purposes and legal obligations. In the following, we will inform you about what data is involved, how it is processed and what rights you are entitled to in this regard, in particular with regard to the General Data Protection Regulation (GDPR).

### Who is responsible for data processing?

The controller within the meaning of data protection law is:

SEMA GmbH  
Computer Software und Hardware-Vertrieb  
Salzstraße 25  
87499 Wildpoldsried

You can find further information about our company, authorised representatives and additional contact options in the legal information section of our website: [www.sema-soft.com](http://www.sema-soft.com)

Which of your data do we process? And for what purposes?

We only process personal data that is required to fulfil the specified purposes and legal obligations. This may include the following categories:

- Contact information such as title, first name, surname, address, e-mail address, telephone numbers
- Other information such as access data, IP address or payment data

If we have received data from you, we will only process it for the purposes for which we received or collected it, e.g.

- to fulfil the contract and to process the contract
- for correspondence with you
- for the fulfilment of legal and statutory obligations
- to safeguard legitimate interests
- for the processing of any existing mutual settlements

Data processing for other purposes will only be considered if the necessary legal requirements pursuant to Art. 6 (4) GDPR are met. In this case, we will of course comply with any information obligations pursuant to Art. 13 para. 3 GDPR and Art. 14 para. 4 GDPR.

### What is the legal basis for this?

The legal basis for the processing of personal data is generally - unless there are specific legal provisions - Art. 6 GDPR. The following options in particular come into consideration here:

- Consent (Art. 6 para. 1 lit. a) GDPR)
- Data processing for the performance of contracts (Art. 6 para. 1 lit. b) GDPR) Data processing is necessary in particular to ensure the completeness and accuracy of the data and its digitisation and to be able to perform the contract.
- Data processing on the basis of a balancing of interests (Art. 6 para. 1 lit. f) GDPR) Data processing is necessary in particular to ensure and optimise informed decisions by the parties involved in your interest and to ensure a permanently high quality and uniformity of customer advice by the controller.
- Data processing for the fulfilment of a legal obligation (Art. 6 para. 1 lit. c) GDPR) Data processing is necessary in particular to ensure the completeness and accuracy of tax data in accordance with the German Fiscal Code, the German Trade Code and the German Commercial Code.

If personal data is processed on the basis of your consent, you have the right to withdraw your consent from us at any time with effect for the future. If we process data on the basis of a balancing of interests, you as the data subject have the right to object to the processing of personal data, taking into account the provisions of Art. 21 GDPR.

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### How long is the data stored?

We process the data for as long as this is necessary for the respective purpose. Where statutory retention obligations exist - e.g. under commercial law or tax law - the personal data concerned will be stored for the duration of the retention obligation (10 years). After expiry of the retention obligation, a check is carried out to determine whether there is any further need for processing. If there is no longer a need, the data will be deleted. The general storage period for personal data may exceptionally be up to 30 years if this is necessary for the assertion, exercise or defence of legal claims. Of course, you can request information about the personal data we have stored about you at any time (see below) and, if it is no longer necessary, request that the data be deleted or processing be restricted.

### To which recipients will the data be passed on?

Your personal data will only be passed on to third parties if this is necessary for the execution of the contract with you, if the transfer is permitted on the basis of a weighing of interests within the meaning of Art. 6 para. 1 lit. f) GDPR, if we are legally obliged to pass on the data or if you have given your consent to do so.

### Transfer of personal data to a third country

There are no plans to transfer your personal data to a third country or an international organisation, unless this is necessary for the performance of the contract with you. If required by law, you will be informed of the details separately.

### Where is the data processed?

We process your personal data exclusively in data centres in the Federal Republic of Germany.

### Credit checks

Our company regularly checks your creditworthiness when contracts are concluded and in certain cases where there is a legitimate interest. For this purpose, we work together with Creditreform Kempten/Allgäu, Winterstein KG, Fürstenstraße 1, 87439 Kempten, from whom we receive the necessary data. For this purpose, we transmit your name and contact details to the aforementioned company. Further information on data processing at Creditreform Kempten/Allgäu, Winterstein KG can be found in accordance with Art. 14 EU GDPR at: [www.creditreform.de/navigations/content-footer/datenschutzerklaerung.html](http://www.creditreform.de/navigations/content-footer/datenschutzerklaerung.html)

### Online-based audio and video conferences (conference tools)

#### Data processing:

We use online conferencing tools, among others, to communicate with our customers. The individual tools we use are listed below. If you communicate with us by video or audio conference via the internet, your personal data will be collected and processed by us and the provider of the respective conference tool. The conferencing tools collect all the data that you provide/enter to use the tools (e-mail address and/or your telephone number). The conference tools also process the duration of the conference, the start and end (time) of participation in the conference, the number of participants and other 'contextual information' in connection with the communication process (metadata).

Furthermore, the provider of the tool processes all technical data required to handle online communication. This includes, in particular, IP addresses, MAC addresses, device IDs, device type, operating system type and version, client version, camera type, microphone or loudspeaker and the type of connection.

If content is exchanged, uploaded or provided in any other way within the tool, this is also stored on the tool provider's servers. Such content includes, in particular, cloud recordings, chat/instant messages, voicemails, uploaded photos and videos, files, whiteboards and other information shared while using the service.

Please note that we do not have full control over the data processing operations of the tools used. Our options are largely determined by the company policy of the respective provider. Further information on data processing by the conference tools can be found in the data protection declarations of the tools used, which we have listed below this text.

#### Purpose and legal basis:

The conference tools are used to communicate with prospective or existing contractual partners or to offer certain services to our customers (Art. 6 para. 1 sentence 1 lit. b GDPR). Furthermore, the use of the tools

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serves the general simplification and acceleration of communication with us or our company (legitimate interest within the meaning of Art. 6 para. 1 lit. f GDPR)

If consent has been requested, the tools in question are used on the basis of this consent; consent can be revoked at any time with effect for the future.

### Storage duration:

The data collected directly by us via the video and conference tools will be deleted from our systems as soon as you ask us to delete it, revoke your consent to storage or the purpose for data storage no longer applies. Stored cookies remain on your end device until you delete them. Mandatory statutory retention periods remain unaffected. We have no influence on the storage period of your data that is stored by the operators of the conference tools for their own purposes. For details, please contact the operators of the conference tools directly.

### **Conference tools used**

We use the following conference tools:

#### **GoToMeeting / GoToWebinar**

We use GoToMeeting and GoToWebinar. The provider is LogMeIn, Inc, 320 Summer Street Boston, MA 02210, USA. Details on data processing can be found in GoToMeeting's privacy policy:

[www.goto.com/company/legal/privacy](http://www.goto.com/company/legal/privacy)

Conclusion of an order processing contract:

We have concluded an order processing contract with the provider of GoToMeeting/GoToWebinar and fully implement the strict requirements of the German data protection authorities when using GoToMeeting.

#### **TeamViewer**

We use TeamViewer. The provider of this service is TeamViewer Germany GmbH, Bahnhofplatz 2, 73033 Göppingen, Germany. Details on data processing can be found in the TeamViewer privacy policy:

[www.teamviewer.com/en/legal/privacy-and-cookies/](http://www.teamviewer.com/en/legal/privacy-and-cookies/)

Conclusion of a contract for order processing:

We have concluded an order processing contract with the provider of TeamViewer and fully implement the strict requirements of the German data protection authorities when using TeamViewer.

#### **Microsoft Teams**

We use Microsoft Teams. The provider is Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA. Details on data processing can be found in the Microsoft Teams privacy policy:

[www.microsoft.com/en-us/privacy/privacystatement](http://www.microsoft.com/en-us/privacy/privacystatement)

Conclusion of an order processing contract:

We have concluded an order processing contract with the provider of Microsoft Teams and fully implement the strict requirements of the German data protection authorities when using Microsoft Team.

### **Your rights**

You have the right to:

- Pursuant to Art. 15 GDPR, you have the right to information about the personal data we process about you. In particular, you can request information about the purposes of processing, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of a right to rectification, erasure, restriction of processing or objection, the existence of a right to lodge a complaint, the origin of your data if it was not collected from the controller, as well as the existence of automated decision-making, including profiling, and, if applicable, meaningful information on its details;
- Pursuant to Art. 16 GDPR, to request the immediate rectification of inaccurate or incomplete personal data stored by the controller;
- Pursuant to Art. 17 GDPR, to request the erasure of your personal data stored by the controller, unless processing is necessary to exercise the right to freedom of expression and information, to fulfill a legal obligation, for reasons of public interest, or to assert, exercise, or defend legal claims;
- Pursuant to Art. 18 GDPR, you have the right to request the restriction of the processing of your personal data if you dispute the accuracy of the data, the processing is unlawful but you oppose its

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deletion, the controller no longer needs the data but you require it to assert, exercise, or defend legal claims, or you have objected to the processing pursuant to Art. 21 GDPR;

- Pursuant to Art. 20 GDPR, you have the right to receive your personal data that you have provided to the controller in a structured, common, and machine-readable format or to request its transmission to another controller;
- Pursuant to Art. 7 (3) GDPR, you have the right to revoke your consent to the controller at any time. This means that the controller may no longer continue data processing based exclusively on this consent in the future, and
- Pursuant to Art. 77 GDPR, you have the right to lodge a complaint with a supervisory authority. As a rule, you can contact the supervisory authority of your usual place of residence or work or our company headquarters for this purpose.

If you do not request information in writing, we ask for your understanding that we may then require you to provide evidence that you are the person you claim to be.

### Right of objection

In particular, you have the right to object under Art. 21 (1) and (2) GDPR to the processing of your data in connection with direct marketing if this is based on a balance of interests.

### Our Data Protection Officer

We have appointed an external data protection officer within our company. You can reach them using the following contact details:

IDKOM Networks GmbH - Data Protection Officer, Dieselstraße 1, 87437 Kempten

Thomas Hug, E-Mail: [datenschutz@idkom.de](mailto:datenschutz@idkom.de)

### Right to complain

You have the right to complain to a data protection supervisory authority about our processing of personal data:

Bayerisches Landesamt für Datenschutzaufsicht, Promenade 27, 91522 Ansbach

Phone: 0981 531300, E-Mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de), Web: [www.lda.bayern.de](http://www.lda.bayern.de)