

Data protection information according to Art. 13 § 3 GDPR

Basic principles of data protection

Personal data about you will be collected and processed by the responsible party, and stored for the duration required in order to fulfil the defined purpose and the respective legal obligations of the present business relationship. Below, we will inform you which data is collected, how it will be processed and what your rights are in terms of data protection, particularly in regard to the General Data Protection Regulation (GDPR).

Who is responsible for data processing?

The responsible party in the sense 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

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

We only process personal data that is required to fulfil the defined purpose and respective legal obligations of our business relationship with you. This may include the following categories:

- Contact information, such as title, first name, last name, address, email address, telephone numbers
- Other information, such as login details, IP address or payment details

If we have received data from you, we will only process it for the same purpose that we have received or collected it for, e.g.

- to fulfil and carry out the contract
- for correspondence with you
- to fulfil legal obligations
- to protect legitimate interests
- to process any mutual transactions

Data processing for other purposes may only take place if the required legal specifications are present in accordance with 6 § 4 GDPR. We will observe any obligation to inform in accordance with Art. 13 § 3 GDPR and Art. 14 § GDPR.

On what legal basis does that apply?

Provided that there are no other specific legal regulations, the legal basis for the processing of personal data is Art. 6 GDPR. The following possibilities are taken into account:

- Consent (Art. 6 § 1 lit. a) GDPR)
- Data processing for the purpose of fulfilling a contract (Art. 6 § 1 lit. b) GDPR) Data processing is necessary to guarantee the correctness and completeness of the data, as well as its digitalisation, and to fulfil the contract.
- Data processing based on the balancing of interests (Art. 6 § 1 lit. f) GDPR) Data processing is necessary to guarantee and optimise information decisions by the involved parties in their interests, and to guarantee the long-term high quality and uniformity of customer consultation by the responsible party.
- Data processing to fulfil a legal obligation (Art. 6 § 1 lit. c) GDPR) Data processing is required to guarantee the completeness and correctness of tax data in accordance with the tax code, industrial code and commercial code.

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If personal data is processed on the basis of your consent, you have the right to revoke your consent at any time with effect for the **future**. If we process data based on the balancing of interests, you as the concerned party have the right to object to the processing of your personal data in accordance with the specifications of Art. 21 GDPR.

How long is data stored for?

We process data for as long as is required for the respective purpose. If there is a legal obligation for data to be stored – e.g. in the commercial code or tax code – the respective personal data will be stored for the duration of this obligation (10 years). Once this obligation has expired, we will check whether it is still necessary to process the data in question. If it is no longer necessary, the data will be deleted. In exceptional cases, data may be stored for up to 30 years, provided that this is required for the assertion, exercise or defence of legal claims.

Naturally, you may request (see below) information about the data we have stored about you at any time and, if it is no longer necessary to store it, to request the deletion of the data or to limit the processing of it.

Who is data shared with?

Your personal data will only be shared with third parties if it is necessary in order to fulfil our contract with you, if it is permitted based on the balancing of interests in the sense of Art. 6 § 1 lit. f) GDPR, if we are legally obligated to share your data or if you have provided your consent for us to do so.

Transfer of personal data to third countries

We do not plan to transfer your personal data to third countries or international organisations, unless it is necessary for the purpose of fulfilling our contract with you. You will be informed about individual details separately, if legally so required.

Where is data processed?

Your personal data is processed exclusively by us in computer centres in the Federal Republic of Germany.

Credit checks

When entering into a contract and in certain cases when a legitimate interest exists, our company regularly checks your creditworthiness. When doing so, we work with the company Creditreform Kempten/Allgäu, Winterstein KG, Fürstenstraße 1, 87439 Kempten, from whom we receive the required information. For this purpose, we will share your name and contact details with the above-mentioned company. Further information about data processing by Creditreform Kempten/Allgäu, Winterstein KG can be found in accordance with Art. 14 EU-GDPR at:

<https://www.creditreform.de/navigations/content-footer/datenschutzerklaerung.html>

Online-based audio and video conferencing (conference tools)

Data processing

Among other things, we use online conference tools to communicate with our customers. The tools we use are listed below in detail. When you communicate with us by video or audio conferencing via the Internet, your personal data is collected and processed by us and by the provider of the respective conference tool. In the process, the conference tools collect any data that you provide/enter to use the tools (email address and/or your phone number). Furthermore, the conference tools process the duration of the conference, start and end (time) of participation in the conference, number of participants and other “context information” related to the communication process (metadata).

Furthermore, the provider of the tool processes all technical data required for the handling of online communication, including, in particular, IP addresses, MAC addresses, device IDs, the device type, operating system type and version, client version, camera type, microphone or speaker, and connection type.

If content is exchanged, uploaded or otherwise made available within the tool, it is also stored on the servers

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of the tool providers. Such content specifically includes cloud recordings, chat/instant messages, voice mails 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 essentially depend on the corporate policy of the respective provider. For further information about data processing by the conference tools, please refer to the privacy statements of the respective tools used, which we have listed below this text.

Purpose and legal basis

The conference tools are used to communicate with prospective or existing contractors or to offer certain services to our customers (Art. 6 Para. 1. Cl. 1 (b) GDPR). Furthermore, the use of the tools serves the general simplification and acceleration of communication with us or our company (legitimate interest within the scope of Art. 6 Para. 1 (f) GDPR)

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

Duration of storage

The data we collect directly through the video and conference tools is deleted by our systems as soon as there is no longer any need to store this information, as soon as you ask us to delete it or as soon as you revoke your consent to have the data stored. Stored cookies remain on your device until you delete them. Mandatory statutory retention periods remain unaffected. We have no control over the storage duration of the data which is stored by the conference tool operators for their own purposes. To find out more, please refer to the information provided by the operators of the respective conference tools.

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. For details on data processing, please refer to the GoToMeeting privacy policy:

<https://www.logmeininc.com/de/legal/privacy>

Conclusion of a contract for order processing

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 is TeamViewer Germany GmbH, Bahnhofsplatz 2, 73033 Göppingen, Deutschland. For details on data processing, please refer to the TeamViewer privacy policy:

<https://www.teamviewer.com/de/datenschutzerklaerung/>

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.

Zoom

We use Zoom. The provider is Zoom Communications Inc., San Jose, 55 Almaden Boulevard, 6th Floor, San Jose, CA 95113, USA. For details on data processing, please refer to the Zoom privacy policy:

<https://zoom.us/de-de/privacy.html>

Conclusion of a contract for order processing

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

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Microsoft Teams

We use Microsoft Teams. The provider is Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA. For details on data processing, please refer to the Microsoft Teams privacy policy:

<https://privacy.microsoft.com/de-de/privacystatement>

Conclusion of a contract for order processing

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 Teams.

Skype and Skype for Business

We use Skype and Skype for Business. The provider is Skype Communications SARL, 23-29 Rives de Clausen, L-2165 Luxembourg. For details on data processing, please refer to the Skype privacy policy:

<https://privacy.microsoft.com/de-de/privacystatement/>

Conclusion of a contract for order processing

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

Your rights as the “concerned party”

You have the right:

- in accordance with Art. 15 GDPR, you have the right to receive information about the personal data that we are processing concerning you. In particular, you may request information about the processing purpose, the category of personal data, the category of recipient with whom your data is or has been shared, the planned storage duration, the existence of the right to correction, deletion, limitation of processing or objection, the existence of the right to complaint, the origin of your data if not originally collected by the responsible party, and about the existence of automated decision-making, including profiling, as well as any significant information about the individual details thereof;
- in accordance with Art. 16 GDPR, you have the right to request the immediate correction of incorrect or incomplete personal data that is stored by the responsible party;
- in accordance with Art. 17 GDPR, you have the right to request the deletion of your personal data by the responsible party, provided that this data is not required in order to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of public interest, or for the assertion, exercise or defence of legal claims.
- in accordance with Art. 18 GDPR, you have the right to request the limitation of the processing of your personal data if its correctness is disputed by you, if processing the data is unlawful but you do not wish to delete it, if the responsible party no longer requires the data but you require it for the assertion, exercise or defence of legal claims, or if you have submitted an objection to the processing of your data in accordance with Art. 21 GDPR;
- in accordance with Art. 20 GDPR, you have the right to request the personal data you have provided to the responsible party in a structured, conventional and machine-readable format, or its transfer to another responsible party;
- in accordance with Art. 7 § 3 GDPR, you have the right to revoke your consent from the responsible party at any time. As a consequence, the responsible party may not continue with the processing of any data that relied exclusively on this consent in future, and
- in accordance with Art. 77 GDPR, you have the right to complain to a supervisory authority. To do so, you may contact the relevant supervisory authority in your place of work or residence, or our company headquarters.

In the event of information requests that are not made in writing, please understand that we may request proof of identification to confirm that you are who you say you are.

Right of objection

In accordance with Art. 21 § 1 and 2 GDPR, you have the right to object to the processing of your data in connection with a direct advertisement, if this takes place based on balancing of interests.

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Our data protection officer

We have appointed an external data protection officer in our company. You can contact them via the following contact details:

IDKOM Networks GmbH - Data protection officer, Dieselstraße 1, 87437 Kempten
Herr Thomas Hug, e-mail: datenschutz@idkom.de

Right of complaint

You have the right to complain about the processing of personal data by us, at a supervisory authority for data protection:

Bayerisches Landesamt für Datenschutzaufsicht, Promenade 27, 91522 Ansbach Telephone 0981 531300, Telefax 0981 53981300, Email: poststelle@lda.bayern.de, https: www.lda.bayern.de