

diva-e Cloud GmbH

General Data Protection Notice



*Translation provided for information only.
German Data Protection Notice is the legally binding version.*

General

Protecting your personal data is of great importance to diva-e. It is important for us to make you aware what personal data is collected, how it is used and what options you have.

1. Where can I find the information that is important to me?

This data protection notice provides general information on the processing of your data by diva-e on websites, web portals and Apps.

For further information, including details of data protection within special products, please visit www.diva-e.com/datenschutz.

2. On what legal basis does diva-e Cloud GmbH process my data?

We process your data according to European and German data protection laws (the following provisions are those of the European General Data Protection Regulations, or GDPR for short), to the extent and so long as:

- it is necessary to fulfil your contract or to implement pre-contractual activities that take place at your request (Art. 6 Para. 1 b GDPR) or
- you have given your consent to processing (Art. 6 Para. 1 a GDPR) or
- the processing is necessary to safeguard our legitimate interests or those of third parties, e.g. in the following cases: assertion of claims, defence in legal disputes; detection and elimination of abuse; prevention and investigation of criminal offences; ensuring the secure IT operations of Telekom; based on Art. 6 Para. 1 f GDPR or
- due to legal requirements, e.g. retention of documents for commercial and tax law purposes (Art. 6 Para. 1 c GDPR), or in the public interest (Art. 6 Para. 1 e GDPR).

3. What rights do I have?

You have the right to:

- a) request information on the categories of data processed, processing purposes, possible recipients of the data, the planned storage period (Art. 15 GDPR);
- b) require the amendment or addition of incorrect or incomplete data (Art. 16 GDPR);
- c) revoke future consent at any time (Art. 7 Para. 3 GDPR);
- d) object to data processing which is to be carried out on the basis of a legitimate interest for reasons arising from your particular situation (Art. 21 Para 1 GDPR);
- e) request that data be deleted in certain cases laid out in Art. 17 GDPR – particularly if data is no longer required for the intended purpose or is processed unlawfully, or if you have revoked your consent in accordance with (c) above or have lodged an objection in according to (d) above;
- f) demand data be restricted, under certain conditions, when deleting it is not possible or the obligation to delete is in dispute (Art. 18 GDPR);
- g) transfer data, which means you can receive the data you have provided us in a structured machine-readable format such as a CSV and, if necessary, transfer it to others (Art 20 GDPR);
- h) make a complaint to the competent supervisory authority about data processing (Federal Commissioner for Data Protection and Freedom of Information; otherwise: Federal Commissioner for Data Protection and Freedom of Information Berlin).

4. How long will my data be stored?

We process and store your personal information as long as it is necessary for the fulfilment of our contractual and legal obligations. We do, of course, comply with our obligations to delete personal data, even when not specifically requested by our clients.

Such obligations arise, for example, from Art. 17 GDPR. If the personal data is no longer necessary for the purposes for which it was collected or otherwise processed, it has, among other things, to be deleted.

However, there is personal data that is exempt from the obligation to delete and we are even obliged by other laws to keep. For example, there are obligations for retention in accordance with Art 257 of the HGB (German Commercial Code) and Art 147 of the AO (German Fiscal Code) We only store this data to comply with legal retention obligations. When the retention periods have expired, we will delete this data immediately without you having to request us to do so.

5. Will my data be used for advertising or market research purposes?

We only use your personal data for advertising or market research purposes with your consent; you can revoke future consent at any time. When obtaining your consent, we will inform you of your right to revoke it. Different regulations apply if you are online, for example, browsing on our website or using our Apps. For more information, please refer to the privacy policy of the relevant online service.

6. What data is collected and for what purpose?

Technical data is collected for the purposes of data security and defending against attacks (Art. 6 Para 1 f GDPR) as well as user surveys/customer feedback for website reviews or customer feedback (Art.6 Para 1 a GDPR). Only anonymous information is processed and it is not possible to draw any conclusions about the sender.

7. Is usage behaviour on the websites evaluated?

If required, diva-e Cloud GmbH evaluates usage behaviour for the purposes of, for example, advertising, tracking. For more information, please visit our website: www.diva-e.com/datenschutz.

8. Who does diva-e Cloud GmbH share my data with?

With so-called contracted processors, these are companies to whom we entrust data processing within the legal framework, Art. 28 GDPR (service providers, vicarious agents). In this situation, diva-e Cloud GmbH remains responsible for the protection of your data. We commission companies in the following sectors in particular: IT, Sales, Marketing, Finance, Consulting, Customer Service, Human Resources, Logistics, Printing. Due to legal obligations: in certain cases we are required by law to give government agencies certain data when requested.

9. Where is my data processed?

Your data will be processed in Germany and in other European countries. Your data is only processed in countries outside the European Union (in so-called third countries) in exceptional circumstances and with your express consent or if it is necessary for the provision of work or is sanctioned by law (Art 49 GDPR).

10. Who is responsible for data processing? Who should I contact if I have questions about data protection at diva-e Cloud GmbH?

The data controller is diva-e Cloud GmbH. Alexander Bugl, our Data Protection Officer, can be contacted at:

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Sedanstraße 7
93055 Regensburg
Email: kontakt@buglundkollegen.de