



Obligation to provide information pursuant to Art. 13 and Art. 14 GDPR for customers/business partners/suppliers

Content

1	Data processing in the context of order processing	5
1.1	Order entry and processing	5
1.2	Communication by e-mail / telephone.....	5
2	Data processing as order processing	6
2.1	IT administration on behalf of.....	6
3	Data Processing in IT Systems.....	6
3.1	Contact and address management.....	6
3.2	Audio and video conferencing.....	7
3.2.1	Data processing	7
3.2.2	Purpose and legal basis.....	8
3.2.3	Storage period.....	8
3.2.4	Conference tools used	8
3.2.5	Zoom.....	8
3.2.6.1	Order processing.....	9
3.3	Video Conferencing Recording.....	9

3.4	File exchange via a-tune cloud (Storage Share)	10
3.4.1	Order processing.....	10
3.5	Ticketsystem a-tune -Support.....	10
3.6	Guest Wi-Fi.....	11
4	Sales & Marketing	11
4.1	Sending newsletters to existing customers.....	11
4.2	Exhibition stand	12
4.3	Invitation to company events.....	12
4.4	Creation and publication of photos and videos at company events	13
4.5	Customer feedback about Microsoft Forms.....	13
5	Financial accounting	14
5.1	Financial accounting	14
5.2	Dunning.....	15
6	Miscellaneous.....	15
6.1	Paper and file disposal / data carrier disposal	15
6.2	Data protection management.....	15

The protection of your data and transparency about its processing is very important to us. Therefore, we hereby comply with our obligation to inform about the circumstances of processing in accordance with Art. 13 and Art. 14 of the General Data Protection Regulation (GDPR).

Note: For better readability, the masculine form is used in this document. Of course, this always means all genders equally.

The processing of your personal data gives you the following rights:

- a. Right to information (see Art. 15 GDPR)
- b. Right to rectification (see Art. 16 GDPR)
- c. Right to erasure (see Art. 17 GDPR)
- d. Right to restriction of data (see Art. 18 GDPR)
- e. Right to object (see Art. 21 GDPR)
- f. Right to data portability (see Art. 20 GDPR)

Right of withdrawal: If the processing is based on Art. 6 GDPR (1) (a) or Art. GDPR 9 (2) (a), you have the right to withdraw your consent at any time. Previously processed data remains unaffected by the revocation.

Contact details of the data protection officer: Jasmin Muhmenthaler-Sturm, Datenbeschützerin GmbH, Unterer Sand 9, 94209 Regen, E-Mail: info@datenbeschuetzerin.de, Tel: 09921 22 88 9000

You have the right to lodge a complaint with a supervisory authority if you believe that the processing of your personal data is unlawful.

The Hessian Commissioner for Data Protection and Freedom of Information

P.O. Box 3163
65021 Wiesbaden

Phone: +49 (0) 611 1408-0

E-mail: poststelle@datenschutz.hessen.de

The data controller is:

A-TUNE SOFTWARE AG

Represented by: Dipl.-Wirtsch.-Ing. Andreas Staubi

Julius-Reiber-Strasse 15

64293 Darmstadt

Phone: +49 (0) 6151 95131 0

E-mail: info@a-tune.com

The controller is the natural or legal person who, alone or jointly with others, decides on the purposes and means of the processing of personal data (e.g. names, e-mail addresses, etc.).

Data will only be transferred to third countries (countries outside the European Economic Area – EEA) if this is necessary for the execution of the service contract or if you have given us your consent or if this is otherwise legally permissible. In this case, we take measures to ensure the protection of your data, for example through contractual arrangements. We only transmit data to recipients who ensure the protection of your data in accordance with the provisions of the GDPR for transfer to third countries (Art. 44 to 49 GDPR).

The decision on our contractual relationship is not based on automated processing or profiling, i.e. there is no automated decision-making within the meaning of Art. 22 GDPR for the establishment, implementation and processing of the contractual relationship.

If this procedure is used in individual cases, we will inform you separately if this is required by law.

Within the framework of our customer relationship, only the personal data that is necessary for the establishment, implementation and termination of the customer relationship and the fulfilment of the associated contractual obligations or that we are legally obliged to collect are to be provided. Without this data, we will otherwise generally not be able to perform the contract or customer relationship with you.

As a rule, we collect your personal data directly from you. If, exceptionally, data comes from other sources, you will be informed separately.

1 DATA PROCESSING IN THE CONTEXT OF ORDER PROCESSING

1.1 Order entry and processing

In order to process your order or request, we collect personal data from contact persons (name, address, e-mail address, telephone number, mobile phone number) as part of the process. Your data will be entered and stored in our central system. The system is vendor by Oracle Corporation, 500 Oracle Parkway Phone: +1.650.506.7000, Redwood Shores, CA 94065, USA. A data processing agreement has been concluded with the service provider.

The processing is based on a contract or pre-contractual measure in accordance with Art. 6 (1) (b) GDPR.

This is forwarded internally to the necessary departments and, if necessary, to external bodies (e.g. shipping service providers/business partners/subcontractors) in order to be able to continue processing the order.

Oracle is certified according to the "EU-US Data Privacy Framework" (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to the DPF is committed to complying with these data protection standards. Further information on this can be obtained from the provider under the following link: <https://www.dataprivacyframework.gov/participant/3400>.

The data is stored within the framework of the statutory retention obligations. If no contractual relationship is established, your data will be deleted after one year without active contact.

1.2 Communication by e-mail / telephone

To get in touch with you, we will send you an e-mail with further information, to process your request, your order or as part of our general business relationship. For this purpose, your e-mail address, the e-mail content and the history of communication are recorded. The e-mails are hosted by an external service provider. Provider is: Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA. Technical administration and support is provided by the parent company Transnetyx, Inc., 8110 Cordova Road, Suite 119, Cordova, TN 38016, USA. A data processing agreement has been concluded with the providers.

Furthermore, we can also call you by phone via the telephone or mobile phone number we have on file.

The processing of the data is based on the performance of a contract in accordance with Art. 6 (1) (b) GDPR, which permits the processing of data for the performance of a contract or pre-contractual measures (customer relationship, contracts with business partners).

The data will only be passed on if this has been agreed with you or is necessary for the current business transaction.

Microsoft is certified according to the "EU-US Data Privacy Framework" (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to the DPF is committed to complying with these data protection standards. For more information, please contact the provider at the following link:

<https://www.dataprivacyframework.gov/participant/6474>

Your data will be stored by us on our systems within the framework of the statutory retention obligation.

2 DATA PROCESSING AS ORDER PROCESSING

2.1 IT administration on behalf of

In order to process your order or request, we collect personal data from contact persons (name, address, e-mail address, telephone number, mobile phone number) as part of the process.

Depending on the order, access to and insight into the client's systems and thus possibly also into personal data is possible through us as a processor.

For the written activity planning of our projects, we have a plan in our calendar, which may also contain personal data in the form of customer master data and project information.

The order is forwarded internally to the necessary departments and, if necessary, to external bodies (e.g. shipping service providers/business partners/subcontractors/manufacturers) in order to be able to process the order further.

The data is stored within the framework of the statutory retention obligations. At the latest upon termination of the service agreement, documents that have come into possession, the processing and usage results created as well as data stocks that are related to the contractual relationship must be handed over to the Client or, after prior consent, destroyed in accordance with data protection regulations.

3 DATA PROCESSING IN IT SYSTEMS

3.1 Contact and address management

To manage the contact information of our customers and business partners, we store it in our various systems.

The following data is processed: company, name, contact person and position, if applicable, address, telephone number and e-mail address.

The data is collected on the basis of a legitimate interest in accordance with Art. 6 (1) (f) GDPR in order to be able to manage the contact information in a structured and efficient manner.

Only our employees have access to the system.

Your contact details will be stored within the framework of the statutory retention period.

3.2 Audio and video conferencing

3.2.1 Data processing

For communication with our customers, we use online conference tools, among other things. The specific tools we use are listed below. If you communicate with us via 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 conference tools collect all data that you provide/use to use the tools (e-mail address and/or your telephone number). In addition, the conference tools process the duration of the conference, the start and end (time) of participation in the conference, the number of participants and other "contextual information" related to the communication process (metadata).

Furthermore, the provider of the tool processes all technical data required to handle online communication. This includes, but is not limited to, IP addresses, MAC addresses, device IDs, device type, operating system type and version, client version, camera type, microphone or speakers, and the type of connection.

If content is exchanged, uploaded or otherwise made available within the tool, this is also stored on the servers of the tool providers. Such content includes, but is not limited to, cloud recordings, chat/instant messages, voicemails, photos and videos uploaded to voicemails, files, whiteboards, and other information shared while using the Service.

Please note that we do not fully influence the data processing processes of the tools used. Our options are largely based on the corporate policy of the respective provider. Further information on data processing by the conference tools can be found in the privacy policies of the respective tools used, which we have listed below this text.

3.2.2 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 lit. b GDPR). Furthermore, the use of the tools serves to generally simplify and accelerate 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 use of the tools in question is based on this consent; consent can be revoked at any time with effect for the future.

3.2.3 Storage period

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 its storage or the purpose for which it was stored no longer applies. Stored cookies remain on your device until you delete them. Mandatory statutory retention periods remain unaffected.

We have no influence on the storage period of your data, which is stored by the operators of the conference tools for their own purposes. For details, please contact the operators of the conference tools directly.

3.2.4 Conference tools used

We use the following conference tools:

3.2.5 Zoom

We use Zoom. The provider of this service is Zoom Communications Inc., San Jose, 55 Almaden Boulevard, 6th Floor, San Jose, CA 95113, USA. Details on data processing can be found in Zoom's privacy policy: <https://explore.zoom.us/de/privacy/>.

The data transfer to the USA is based on the standard contractual clauses of the EU Commission. Details can be found here: <https://explore.zoom.us/de/privacy/>.

The company is certified according to the "EU-US Data Privacy Framework" (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to the DPF is committed to complying with these data protection standards. For more information, please contact the provider at the following link: <https://www.dataprivacyframework.gov/participant/5728>.

3.2.5.1 Order processing

We have concluded a contract processing agreement (DPA) for the use of the above-mentioned service. This is a contract required by data protection law that ensures that it processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

3.2.6 Microsoft Teams

We use Microsoft Teams. The provider is Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, Ireland. Details on data processing can be found in the Microsoft Teams privacy policy: <https://privacy.microsoft.com/de-de/privacystatement>.

The company is certified according to the "EU-US Data Privacy Framework" (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to the DPF is committed to complying with these data protection standards. Further information on this can be obtained from the provider under the following link: <https://www.dataprivacyframework.gov/participant/6474>.

3.2.6.1 Order processing

We have concluded an order processing agreement (DPA) with the above-mentioned provider. This is a contract required by data protection law that ensures that it processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

3.3 Video Conferencing Recording

It is possible to record the online meeting. This serves the purpose of making the online meeting available to you afterwards and viewing the content from the meeting for follow-up. We need your consent for the recording. You can decide at the beginning of the meeting whether or not to allow the recording to take place. Your consent will be stored in video form. Your name, the content of the conversation and the shared screen content are processed and stored in the recording.

The processing of the data is based on voluntary consent in accordance with Art. 6 (1) (a) GDPR. The data subject can revoke the consent at any time by sending an informal notification. Processing that has already been carried out remains unaffected by the revocation.

The content of the video remains internal.

The recordings will be stored until you revoke your consent.

3.4 File exchange via a-tune cloud (Storage Share)

We use Storage Share (= a-tune cloud) to exchange files with you. The provider is Hetzner Online GmbH, Industriestr. 25, 91710 Gunzenhausen, Germany (hereinafter referred to as "Storage Share").

Storage Share allows us to provide you with files, such as installation media, which you can then retrieve from there. A connection is established to Storage Share so that Storage Share can determine that you have visited our system.

Storage Share is used on the basis of Art. 6 (1) (f) GDPR. The controller has a legitimate interest in a reliable and efficient data exchange system.

3.4.1 Order processing

We have concluded an order processing agreement (DPA) with the above-mentioned provider. This is a contract required by data protection law that ensures that it processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

3.5 Ticketsystem a-tune -Support

To ensure IT support, to prioritize and document requests, we use a ticket tool in support. When you submit a ticket, we record the following from the processor: surname, first name. From the requester we record: surname, first name, department. Depending on the type of error, personal data may also be included in the error description itself.

The provider of the ticket system is Zoho Corporation GmbH, II. Hagen 7, 45127 Essen, Germany. Technical administration and support are provided by the parent company Transnetyx, Inc., 8110 Cordova Road, Suite 119, Cordova, TN 38016, USA. A data processing agreement has been concluded with the providers.

The processing of the data is based on a business purpose in accordance with Art. 6 (1) (f) GDPR. The controller has a legitimate interest in optimizing IT processes.

The data will be processed in the support department and, if necessary, passed on to an external support service provider for processing the case. An order processing agreement has been concluded with the provider of the ticket system.

Your personal data will be stored as part of the processing and then deleted. Statutory retention periods remain unaffected.

3.6 Guest Wi-Fi

We offer our guests the possibility of internet access. For this purpose, you will receive access to our guest Wi-Fi. You can get access by asking the managing director or a responsible employee.

Your name and the log data will be stored in our system.

The use of the WLAN is based on voluntary consent in accordance with Art. 6 (1) (a) GDPR. You can revoke your consent informally at any time. However, this will result in you no longer being able to use internet access.

The data will only be passed on if this has been agreed with you or is necessary for the current incident.

The log data is stored for three months and then deleted from the system.

4 SALES & MARKETING

4.1 Sending newsletters to existing customers

If you order goods or services from us and provide your e-mail address, this e-mail address may subsequently be used by us to send newsletters, provided that we inform you in advance. In such a case, the newsletter will only be used to send direct advertising for its own similar goods or services. You can cancel the sending of this newsletter at any time. For this purpose, there is a corresponding link in every newsletter. In this case, the legal basis for sending the newsletter is Art. 6 para. 1 lit. f GDPR in conjunction with § 7 para. 3 UWG.

After you have unsubscribed from the newsletter distribution list, your e-mail address may be stored in a blacklist by us in order to prevent future mailings to you. The data from the blacklist will only be used for this purpose and will not be merged with other data. This serves both your interest and our interest in complying with the legal requirements when sending newsletters (legitimate interest within the meaning of Art. 6 para. 1 lit. f GDPR). The storage in the blacklist is not limited in time. You can object to the storage if your interests outweigh our legitimate interest.

4.2 Exhibition stand

In order for us to be able to provide you with further information about our companies and offers as well as services after the trade fair, we will collect the following data from you at our booth: name, e-mail address, telephone number / mobile number. The data is then entered into our CRM system.

The processing is based on a contract or pre-contractual measure in accordance with Art. 6 (1) (b) GDPR.

Only our employees have access to our system. We have commissioned an external service provider for the technical support of the CRM system: salesforce.com Germany GmbH, Erika-Mann-Str. 31, 80636 Munich; A data processing agreement has been concluded with the service provider.

4.3 Invitation to company events

Personal data from you will be processed for the planning, organisation and implementation of company events (e.g. user group events, summer party, open day, etc.). This serves communication, event coordination and the consideration of individual needs (e.g. food preferences, confirmation of participation). We use Eventbrite to manage the registration and organization. The provider is Eventbrite, Inc., 95 Third Street, 2nd Floor, San Francisco, California, 94103 USA.

The following data will be processed: name, e-mail address, participation information (e.g. acceptance or rejection), billing address, any special information (e.g. meal requests, participation in the accompanying programme, accompanying persons).

For details on data processing, please refer to Eventbrite's privacy policy:

<https://www.eventbrite.com/help/en-us/articles/460838/eventbrite-privacy-policy/>

The processing is carried out on the basis of a legitimate interest in accordance with Art. 6 (1) (f) GDPR in order to enable customers to participate in internal events and to organise them efficiently.

The data will only be passed on to internal organizational units or external service providers who are commissioned to carry out the event. A data processing agreement has been concluded with the provider Eventbrite.

Eventbrite is certified under the EU-US Data Privacy Framework (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to

the DPF is committed to complying with these data protection standards. Further information on this can be obtained from the provider under the following link:

<https://www.dataprivacyframework.gov/participant/5881>.

The data will only be stored for as long as it is necessary for the organisation and implementation of the respective event and will then be deleted, unless there are any statutory retention obligations.

4.4 Creation and publication of photos and videos at company events

As part of corporate events, we take photos and videos that are used to document and present our events as well as for public relations. Our customers can also be recognizable in the recordings.

The following personal data will be processed: image and video recordings of the data subjects, if applicable, name and company affiliation (if mentioned in the context of the publication).

The processing is carried out on the basis of a legitimate interest in accordance with Art. 6 (1) (f) GDPR. Our interest lies in the presentation of our events and the promotion of our external presentation to business partners and the public.

The recordings can be published internally (e.g. intranet, presentations) as well as externally (e.g. website, social media, press releases). It cannot be ruled out that third parties may reuse or disseminate the published content.

The data will only be stored and used for as long as it is necessary for the aforementioned purposes or until a justified objection is filed.

4.5 Customer feedback about Microsoft Forms

To gather feedback and improve our software and services, we will send you a survey. For this purpose, we use the forms of the provider Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA.

To do this, we use your email address to send you the link to the survey. If you click on the link, your data will be transmitted to Microsoft. This data includes device and browser information and log data. Furthermore, we collect the company name and your first and last name (mandatory) as well as the e-mail address (optional) in the form.

The sending of the survey by the controller is based on a legitimate interest in accordance with Art. 6 (1) (f) GDPR. The Controller has a legitimate interest in improving and adapting its software based on the feedback. The processing of the data and participation in the survey is

based on voluntary consent in accordance with Art. 6 (1) (a) GDPR. The data subject can revoke the consent at any time by sending an informal notification. Processing that has already been carried out remains unaffected by the revocation.

Microsoft is certified according to the "EU-US Data Privacy Framework" (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to the DPF is committed to complying with these data protection standards. For more information, please contact the provider at the following link:

<https://www.dataprivacyframework.gov/participant/6474>

Your data is stored by Microsoft. We have concluded a data processing agreement with Microsoft. For more information about Microsoft's privacy, see: <https://www.microsoft.com/de-de/privacy/privacystatement>.

5 FINANCIAL ACCOUNTING

5.1 Financial accounting

To handle financial accounting and cash receipts, we mapped a process in the company in our IT systems. The provider of the system is Oracle Corporation, 500 Oracle Parkway Phone: +1.650.506.7000, Redwood Shores, CA 94065, USA. A data processing agreement has been concluded with the service provider.

As part of the process, personal data of contact persons or billing information (name, company, address, e-mail address, telephone number) will be processed.

The processing is based on a legal requirement in accordance with Art. 6 (1) (c) GDPR. The processing is necessary for compliance with a legal obligation to which the controller is subject (principles of proper accounting).

It will be forwarded to our responsible tax consulting company.

Oracle is certified according to the "EU-US Data Privacy Framework" (DPF). The DPF is an agreement between the European Union and the USA that is intended to ensure compliance with European data protection standards for data processing in the USA. Every company certified according to the DPF is committed to complying with these data protection standards. Further information on this can be obtained from the provider under the following link: <https://www.dataprivacyframework.gov/participant/3400>.

The data is stored within the framework of the statutory retention obligations.

5.2 Dunning

In the case of outstanding receivables, we reserve the right to send reminders and – in the event of non-payment – to forward them to external service providers (e.g. lawyers or collection agencies) for further processing. For this purpose, the following personal data is required and processed: company, name, address and the amount of the outstanding claim.

Data processing is carried out on the basis of a contractual relationship or pre-contractual measures in accordance with Art. 6 (1) (b) GDPR.

The data will only be passed on to the commissioned service providers (e.g. lawyers, debt collection agencies).

The data is stored in compliance with the statutory retention periods.

6 MISCELLANEOUS

6.1 Paper and file disposal / data carrier disposal

The destruction of paper documents and data carriers containing personal data that are no longer required is carried out. This means that the deletion periods after the retention period are met.

All data from the customer relationship can be found on the documents and paper carriers.

The processing of the data is based on a legal requirement pursuant to Art. 6 (1) (c) GDPR, the processing is necessary for the fulfilment of a legal obligation to which the controller is subject.

The data will be passed on to the certified disposal company PAPERSHRED Aktenvernichtung ®, Am Dreschacker 8, 55288 Udenheim, which the controller commissions with the destruction and disposal. A data processing agreement was concluded with the waste disposal company.

6.2 Data protection management

You can contact the Data Protection Officer at any time by sending an e-mail to dataprivacy@atune.com.

Your name, reason for the request, facts, any data stored in the system of the person concerned will be collected and stored.

The processing of the data is based on the performance of a contract in accordance with Art. 6 (1) (b) GDPR, which permits the processing of data for the performance of a contract or pre-contractual measure (service contract, employment contract).

The information will only be passed on with your consent.

Your personal data will be stored for as long as necessary for the purpose. Statutory retention obligations remain unaffected.