

DATA PROTECTION DECLARATION ON BEHALF OF FORMTEC GMBH

1. General

We are delighted about your interest in our company. Data protection is a particularly high priority for us. In this data protection declaration we explain to you how we handle data processing within our company inasmuch as said data processing relates also to your data.

For an introduction to the issue of data protection and general information about the terminology used in the General Data Protection Regulation see, for instance the internet site of the Federal Data Protection Commissioner at

https://www.bfdi.bund.de/DE/Buerger/Basiswissen/BasiswissenDatenschutz/BasiswissenDatenschutz_node.

2. Information about roles and responsibilities

2.1. FORMTEC GmbH, Hiesfelder Str. 26, 46244 Bottrop, is responsible for the use of your personal data. For any questions, please contact us by telephone on +49 (2045) 959888-0 or by e-mail to info@formtec.de. For more information please visit our website at www.fomtec.de.

2.2. For questions about data protection or on how to exercise your rights in accordance with data protection law (see clause 4) you can reach us either by post at our address above or by e-mail at info@formtec.de.

3. Activities in which we use your personal data

3.1. Visiting our website

If you visit our website without logging on, registering or filling in any other entry boxes on the website, we process your personal data as follows:

3.1.1. For the purposes of the **provision of our website** we use the IP address, time of access, information about the browser, operating system, language settings and screen resolution of all website users. The information is a technical requirement to enable the use of our website (art. 6 para. 1 b DS-GVO). The data is deleted after the end of your visit to our website unless individual details are used further for any of the following purposes.

3.1.2. Cookies

We use a cookies (MLID) for the purpose of the **provision of our website**. The information is a technical requirement to enable the use of our website (art. 6 para. 1 b DS-GVO). These cookies are deleted after the end of your visit to our website unless a setting in your web browser triggers earlier deletion.

All cookies are enabled, blocked and deleted corresponding to the background settings in your web browser (e.g. when you close the browser window). If cookies are deactivated for our website you may not be able to use all the features of the website fully.

3.2. Contact form on our website

For the purposes of **providing a business contact possibility to us or of answering general inquiries** we use the following data entered in the contact form: name, first name, e-mail address, company, IP address and notification of question. This data is used only to process the inquirer's respective question. The mandatory information (name and e-mail address) are required to assign the question to an existing contractual relationship if appropriate and to be able to address the inquirer personally. Further use (e.g. to transmit advertising) takes place only if prompted by the question (e.g. in response to interest in the products, but not when answering a support request). Data use is necessary for the performance of the contract or fulfilment of the contract (Art. 6 para. 1 b DS-GVO). As soon as the question has been processed data use will be limited to the fulfilment of statutory provisions, especially statutory commercial and tax retention obligations, and will be deleted after the end of the last retention period.

3.3. Subscription to the newsletter

We use e-mail to periodically send to subscribers our **newsletter** with information about general developments, our new products and new features in our existing products and for this purpose we use the

following data from all users of the registration form: name, first name, e-mail address, information given about the company, consent to receive the newsletter, IP address of the device used to sign up for the newsletter and confirmation of the e-mail address in the so-called "double-opt-in" process. This data is used on the basis of your volunteered consent (art. 6 para. 1 a DS-GVO).

You can exercise your **opt-out right according to clause 4.2.4** by clicking on the appropriate link below the registration form and typing your e-mail address into the form that opens. Every newsletter sent also includes a link via which to withdraw your consent.

3.4. Use of our "MANULINK" service

3.4.1. For the **provision of the "MANULINK" service and fulfilment of the according contractual relationship** we process the following data of users who register as customers of the service: name, first name, e-mail address, password, language and time zone, company and address of the company, payment data for the selected payment type (unless prepayment or invoice). If users are registered by a customer we use pseudonymised usernames and password. In addition, all users can volunteer details about their name, first name and company and can make comments. Data on the use of the "MANULINK" service is also processed, particularly the number of accesses to a project by a user ID and changes made to the project. These data are used to facilitate user management and authentication for the service, communication between the users assigned to the same project and to enable the use of the features of the service (e.g. Project release). Personal data is disclosed to the following recipients or categories of recipient:

- a) Username and, as required, voluntary details of the user are displayed to the customer and all users of the respective project to which the user belongs in order to enable use of the service features.
- b) Username and, as required, voluntary details of the user are also displayed to all customers for the identification of users in the context of the project setup.

The data processing is required for the contract implementation and/or contract fulfilment (Art. 6 para. 1 b DS-GVO).

After the fulfilment of the respective purpose and all statutory obligations, particularly commercial and tax retention obligations the data stored in the user account is deleted.

3.4.2. We process for **billing purposes** (invoicing) name, first name, postal address, customer number, e-mail address, outstanding payment amount, services used and period during which chargeable services were used. We submit complete invoices with the above personal data for the purpose of **accounting**, business analysis and commercial registers, as well as for bookkeeping and tax audits to the tax consultants and auditors commissioned by us, "Andreas Purschke Bernhard Hahn Dr. med. Stephen Dunker Jens Achenbach Partnership, Feldmark 3, 44267 Dortmund ". This submission and processing is required for the fulfilment of statutory duties (art. 6 para. 1c DS-GVO). The use of the above data is limited, immediately after fulfilment of claims on either side, to the fulfilment of statutory obligations, particularly commercial and tax retention obligations and the data is deleted after the end of the final retention period.

3.4.3. In the event of **delayed payment or default**, we will submit all usage and billing information to a debt collection agency or legal representative for the purpose of further legal enforcement of claims. The data processing is required for the contract implementation and/or contract fulfilment (Art. 6 para. 1 b DS-GVO). The use of the above data is limited immediately after fulfilment of claims on either side to the fulfilment of statutory obligations, particularly statutory commercial and tax retention obligations, and the data is deleted after the end of the final retention period.

3.4.4. We process your payment information for the purposes of **payment processing** when you use chargeable services. The data is required for contract implementation and/or contract fulfilment (art. 6 para. 1 b DS-GVO).

3.4.5. **Cookies** in the context of "MANULINK"

We use the following cookies for the purposes of the **provision of the "MANULINK"** services. A **SessionID Cookie** stores a random ID number which is used to recognise the respectively correctly authenticated user and to distinguish between simultaneous users of the service. The information is a technical requirement to enable the use of our website (art. 6 para. 1b DS-GVO). No data is transferred to third parties. The cookies are deleted after the end of the browser session (i.e. when the browser program is closed) unless another setting in your web browser triggers earlier deletion.

3.5. **Processing telephone queries**

For **general telephone questions** and **telephone customer support inquiries** we process the name, first name, telephone number, customer's caller number, other personal information provided by the caller and the contents of the telephone question. This data processing is required to respond to the inquirer's question (art. 6 para. 1b DS-GVO). Depending on the content of the question, data-use will be limited immediately after processing the question to processing for the specific purpose of the question (e.g. use of our products by the customer, promotion of our services in the context of new customer acquisition). After fulfilment of the respective purpose and all statutory obligations, particularly statutory commercial and tax retention obligations, the data is automatically deleted.

3.6. **Processing of inquiries via social media**

In order to **process inquiries** which we receive via our **social networks Facebook, Twitter, LinkedIn or Xing** we use the personal data which you have stored within the respective social network. The use of your data is required in order to process your question (art. 6 para. 1b DS-GVO). Depending on the content of the question, data-use will be limited immediately after processing the question to processing for the specific purpose of the question (e.g. use of our products by the customer, promotion of our services in the context of new customer acquisition). After fulfilment of the respective purpose and all statutory obligations, particularly statutory commercial and tax retention obligations, the data is deleted.

3.7. **Processing e-mails**

To **process all questions** that we receive by e-mail, we use the name, first name, e-mail address, customer number or user ID of the sender, other personal data provided in the e-mail and details about the content of the question. This data is sent to Host Europe GmbH, Hansestr. 111, 51149 Cologne as the order processor (art. 28 DS-GVO) who technically facilitates the e-mail service for us (Hosting). This data processing is required in order to respond to the inquirer's request (art. 6 para. 1 b DS-GVO). Depending on the content of the question, data-use will be limited immediately after processing the question to processing for the specific purpose of the question (e.g. use of our products by the customer, promotion of our services in the context of new customer acquisition). After fulfilment of the respective purpose and all statutory obligations, particularly statutory commercial and tax retention obligations, the data is deleted.

3.8. **New customer acquisition**

For **advertising of our company's products** via telephone, mail, e-mail, fax and electronic notifications via the Xing and LinkedIn platforms, we process, from employees of potential customers, the name, first name, postal address, e-mail address, telephone number, electronic identification on the respective platform used, the position in the company and the information available on the specific interest of the company in our products and services. Insofar as we have not received this data from the (representative of a) potential customer (e.g. as a contact at a trade fair or event, via the contact form on the website or as part of a call), we collect the data via the respective platform used (Xing or LinkedIn), where it is generally visible or released, as well as from public directories. The data processing is required in order to safeguard our overriding legitimate interest (Art. 6 para. 1f DS-GVO) in providing direct advertising to our customers for our products and thereby increasing sales of our products. The data processing for direct mailing takes place only if not directly refused and only to the extent that the potential customer can expect in the context of the contractual relationship without said processing leading to an assumption of unreasonable harassment. The

data is deleted and/or the connection to the Xing and/or LinkedIn platforms is ended if the employee refuses to share data for advertising purposes. The data is also deleted manually at the discretion of the sales department if, during the course of the conversation, it is made clear that there is no present or future interest in our company's products and services, or so much time has elapsed after the potential customer has failed to respond that no reaction can be expected.

4. Your rights as a data subject

4.1. Your rights with respect to us may be asserted, at any time, by post to our address stated in paragraph 2.1 above or by e-mail to the e-mail address given in clause 2.2 above. Please be aware that we do not respond to personal data inquiries by telephone because the identity of the caller cannot be verified with sufficient reliability.

4.2. You have the following rights with respect to your personal data:

4.2.1. At any time you may exercise your **right to receive information** (Art. 15 DS-GVO), **right to rectification** (Art. 16 DS-GVO), **right to deletion** (Art.17 DS-GVO) and **right to limitation of processing**, i.e. suspension for certain purposes (Art. 18 DS-GVO) if the respective legal prerequisites are met.

4.2.2. Your **right to data portability** (Art. 20 DS-GVO) also stipulates that, if legally required, you may request that we, or as far as technically feasible, another person named by you, disclose your personal data in a structured, common and machine-readable format.

4.2.3. You have the right to **object against the use of your data** (Art. 21 DS-GVO) for certain purposes, particularly for advertising purposes. Insofar as we process your data on the basis of a balance of interests (pursuant to Art. 6 para. 1f DS-GVO), you have the right to object to this processing at any time for reasons arising from your particular situation. Such reasons exist in particular if they give your interests special weight and therefore outweigh our interests, for example, if these reasons are not known to us and therefore could not be taken into account in the balance of interests.

4.2.4. You have the right to **revoke the consent you have given to us** (Art. 7 para. 3 DS-GVO) for the processing of your data. The revocation can be declared at any time with effect for the future, related to all or to individual uses of your data on the basis of your consent and without giving details. The legality of the processing of your data up until your revocation remains unaffected. Simple revocation options open to you are given in clause 3 above with the respective processing action.

4.3. You also have the right to seek help from the authorised data protection authorities over questions or complaints with respect to our processing of your personal data.