

Privacy Policy for Business Partners/Customers

Last Update: December 2023

1. Introduction

Data protection is very important to us. We therefore always treat your personal data confidentially and naturally comply with all applicable data protection regulations. This privacy policy explains how your personal data is processed.

This privacy policy only applies to the processing of your data in the context of the customer relationship. When you visit our website, please refer to the relevant data protection declarations.

2. Responsible Person (Controller)

This privacy policy applies to data processing by us as the controller pursuant to Art. 4(7) of the General Data Protection Regulation (GDPR). Our contact details are:

we empower you GmbH
Altrottstraße 31
D-69190 Walldorf

Represented by: Kerstin Spurk (CEO)
Register Court and -number: AG Mannheim HRB 747277
Contact: kerstin.spurk@we-empower-you.de

3. Defined Terms

Insofar as this privacy policy does not contain or imply a different definition, reference is made to the definitions in Art. 4 GDPR regarding the terms used.

4. Processing your Personal Data

4.1 In the Context of Establishing Contact

When you contact us (e.g. by telephone, contact form, live chat, email, or via social media), we need your personal data to process your inquiry or request. Depending on the communication channel, these are:

- Name
- Email Address
- Telephone Number
- Content of the Message

Your personal data is processed based on Art. 6 para. 1 lit. b GDPR. We delete the inquiries if they are no longer required or – in the case of statutory retention obligations – we restrict the processing. We review the necessity every six months.

4.2 Processing of Your Data for the Establishment/Execution/Processing of Contracts

If you are or become our customer, we process your data, which may have a personal reference in the context of the establishment and processing of your order and, if necessary, for the implementation of pre-contractual measures. The processed data includes:

- Master Data (e.g. names and addresses)
- Contact Data (e.g. e-mail addresses and telephone numbers)
- Contract Data (e.g. services used, contract content, contractual communication, names of contact persons and information on the products ordered and delivered via the platform)
- Payment Data (e.g. your bank details, payment history)

This processing is carried out based on Art. 6 para. 1 lit. b GDPR.

Furthermore, we may process your data beyond the actual contractual purposes to fulfill our legal and statutory obligations based on Art. 6 para. 1 lit. c GDPR.

In addition, processing may be carried out to protect our legitimate interests or those of third parties based on Art. 6 para. 1 lit. f GDPR.

If you also give us your express consent to process your data for specific purposes, the processing is carried out based on Art. 6 para. 1 lit. a GDPR. Consent can be revoked at any time with effect for the future, see section 9.

4.3 Direct Marketing

We will inform you at regular intervals about products/new services or other news or current offers from our company. This can be done by post, email (newsletter), SMS or messenger service. We inform you based on our legitimate interest, Art. 6 para. 1 lit. f GDPR, or based on your express consent, Art. 6 para. 1 lit. a GDPR. You can object to receiving this information at any time by clicking on the opt-out link in each email or by sending an email to Kerstin.Spurk@we-empower-you.de.

4.4 Processing of Your Data for the Purposes of Administration, Financial Accounting, Office Organization

We process data as part of administrative tasks and the organization of our business, financial accounting, and compliance with legal obligations, such as archiving. In doing so, we process the same data that we process as part of the provision of our contractual services. The processing bases are Art. 6 para. 1 lit. c. GDPR. Customers, interested parties, business partners and website visitors are affected by the processing. The purpose and our interest in the processing lies in the administration financial accounting, office organization, archiving of data, i.e. tasks that serve to maintain our business activities, perform our tasks, and provide our services. The deletion of data regarding contractual services and contractual communication corresponds to the information specified in these processing activities.

We transmit data to the tax authorities, consultants such as tax advisors, lawyers, or auditors as well as other fee offices and payment service providers such as banks. This is done in our interest in legally compliant and efficient business processes. The legal basis for this is therefore Art. 6 para. 1 sentence 1 lit. f GDPR.

5. Recipients of Your Data

5.1. Within our Company

Within our company, your personal data will only be passed on to those departments and persons who need this data to execute the contract and fulfill the legal obligations or to implement our legitimate interest.

We may transfer your personal data to companies affiliated with us, insofar as this is permitted within the scope of the purposes and legal bases set out in Section 4.

5.2. Recipients of Your Data Outside our Company

Data will only be transferred to recipients outside the company if and insofar as this is necessary for the implementation of pre-contractual measures or for the fulfillment of our contract, or if legal provisions permit or make this necessary, or if we have your express consent.

5.1.1. Payment Provider

You have the choice between different payment methods. We use various service providers for payment processing.

5.1.2. CRM-System (Customer-Relationship-Management)

We store the personal data of our business partners/customers in a CRM system (“Customer Relationship Management System”) (or comparable systems for organizing inquiries). This enables us to efficiently organize incoming contacts. We use the provider (INSERT).

5.1.3. Newsletter Tool

We use the service of (INSERT) to send the newsletter and to evaluate your interaction with the newsletter. The evaluation also includes whether the newsletters are opened, and which links are clicked on. We use the analysis for technical improvement and to improve our content based on user interests.

5.1.4. Online Marketing Tool

We use the provider (INSERT) to inform you at regular intervals about products/services or other news from our company. We use the service due to our interest in optimizing our product range and our marketing measures.

5.1.5. Accounting Tool

For our accounting we use (INSERT), of the provider (INSERT).

5.3. Order Processing

We have concluded a data processing agreement in accordance with Art. 28 GDPR with all external recipients of your personal data who process it on our behalf.

6. Disclosure of Your Data in the Event of a Corporate Transaction or Sale of our Company or Part of it

It may happen that our company becomes the subject of a corporate transaction, i.e. if our company or part of it is sold or an investor acquires a stake in it. In such a case, it is necessary for the buyer or investor to receive information about our current business relationships in advance to be able to assess the value of our company or to continue the current business relationships.

In the event of a corporate transaction, we transmit your anonymized or pseudonymized data to the investor or a commissioned service provider so that they can quantify the value of our company. The transmitted data includes contract data (e.g. services used, contract content (anonymized or pseudonymized), contractual communication), as well as payment data (e.g. payment history). The legal basis for this transfer is Art. 6 para. 1 lit. f GDPR. We carefully weigh up your interests before transferring your data to third parties. In doing so, the legitimate interest of our company in a valuable corporate transaction and the interest of the investor in accurate and fair pricing are weighed against your interests in the responsible handling of your customer data.

In the event of the sale of our company or part of it whose customer you are, we will transfer your personal data to the buyer so that it can continue the business already in progress with you. In such a case, the transmitted data includes your master data (e.g., names and addresses), contract data (e.g., services used, contract content, contractual communication, names of contact persons) and payment data (e.g., bank details, payment history). The legal basis for this transfer is Art. 6 para. 1 lit. f GDPR. We carefully weigh up your interests before transferring your data to third parties. In doing so, the legitimate interest of the buyer in continuing the business relationship with you is weighed against your interests in the responsible handling of your customer data. In addition, we will inform you before the planned transfer and give you the opportunity to object to the transfer of your data to the purchaser of the business unit.

7. Transfer to Third Countries

We only transfer your personal data to a third country (i.e. outside the European Union (EU) or the European Economic Area (EEA)) if it is necessary for the fulfillment of our (pre)contractual obligations (pursuant to Art. 6 para. 1 lit. b. GDPR), based on your consent (pursuant to Art. 6 para. 1 lit. c. GDPR) or based on our legitimate interests (pursuant to Art. 6 para. 1 lit. f. GDPR).

Subject to legal or contractual authorizations, we process or have the data processed in a third country only if the special requirements of Art. 44 et seq. GDPR are met. That means the processing takes place, for example, on the basis of an adequacy decision or officially recognized special contractual obligations (EU standard contractual clauses https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en).

8. Data Deletion

The data processed by us is erased in accordance with Art. 17 GDPR or its processing is restricted in accordance with Art. 18 GDPR.

In principle, the data will be deleted as soon as it is no longer required for the stated purpose, Art. 17 para. 1 lit. a GDPR. All data processed for contractual purposes is stored for the duration of the statutory limitation periods (e.g. 195 ff. BGB). This is usually 3 years, in special cases up to 30 years.

If the data is not deleted because it is required for other, legally permissible purposes, its processing will be restricted. This means that the data is blocked and not used. This applies, for example, to data that must be retained for commercial or tax law reasons.

According to legal requirements in Germany, books, records, management reports, accounting documents, commercial and business letters as well as documents relevant for taxation, etc. are stored for ten years in accordance with the German Commercial Code (HGB) and the German Fiscal Code (AO).

9. Your Rights

Rights of Data Subjects:

- To information in accordance with Art. 15 GDPR
- To rectification or completion in accordance with Art. 16 GDPR
- To erasure pursuant to Art. 17 GDPR
- To restriction of processing pursuant to Art. 18 GDPR
- To notification pursuant to Art 19 GDPR
- To data portability pursuant to Art 20 GDPR

Right to Lodge a Complaint:

To lodge a complaint with a supervisory authority in accordance with Art. 77 GDPR. As a rule, you can contact the supervisory authority of your usual place of residence or workplace or our company headquarters.

Right of Revocation and Objection:

- **Revocation of Consents Granted**
If we process your personal data based on a consent given by you in accordance with Art. 6 para. 1 lit. a. GDPR, you have the right to revoke any consent you may have given us in accordance with Art. 7 para. 3 GDPR with effect for the future.
If you wish to make use of your right of withdrawal, you can inform us by e-mail to Kerstin.Spurk@we-empower-you.de. Alternatively, you can also use the contact details provided in Section 2 above.
- **Objection to Processing Based on Legitimate Interest**
If we process your personal data based on our legitimate interests in accordance with Art. 6 para. 1 lit. f GDPR, you have the right to object to the processing of your personal data in accordance with Art. 21 GDPR, provided that there are reasons for this arising from your particular situation or the objection is directed against direct advertising. In the latter case, you have a general right to object, which will be implemented by us without specifying a particular situation.
If you would like to exercise your right to object, you can inform us by sending an email to Kerstin.Spurk@we-empower-you.de. Alternatively, you can also use the contact details provided in Section 2 above.

10. Safety Measures

We take organizational, contractual, and technical security measures in accordance with the state of the art to ensure that the provisions of data protection laws are complied with and to protect the data processed by us against accidental or intentional manipulation, loss, destruction, or access by unauthorized persons. The security measures include the encrypted transmission of data between your browser and our server.

11. Changes to the Data Protection Provisions

We reserve the right to amend our privacy policy if this should be necessary due to new technologies or changes to our data processing processes or to adapt it to changes in the legal situation applicable to us. However, this only applies to this privacy policy. If we process your personal data based on your consent or if parts of the privacy

policy contain provisions of the contractual relationship with you, any changes will only be made with your consent.

The current version of our privacy policy and its change history can be found at <https://we-empower-you.de/home.html>.