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# Privacy Policy in detail

**Last update:** 15. June 2023

Thank you for your interest in the information on our website!

With the help of this Privacy Policy we would like to inform the users of our website about the type, scope and purpose of the personal data processed. Personal data in this context is all information that can be used to personally identify you as a user of our website (theoretically in an alternative way or by linking various data), including your IP address. Information that is stored in cookies is generally not or only in exceptional cases personally identifiable; however, cookies are covered by specific regulations that makes the permissibility of the use of cookies dependent on their purpose to a large extent on the active consent of the user.

In a general section of this Privacy Policy, we provide you with information on data protection, which generally applies to our processing of data, including data collection on our website. In particular, you as a data subject will be informed about the rights to which you are entitled.

The terms used in our Privacy Policy and our data protection practice are based on the provisions of the EU General Data Protection Regulation ("GDPR") and other relevant national legal provisions.

## Data collection on our website

On the one hand, personal data is collected from you when you expressly communicate such data to us, on the other hand, data, especially technical data, is automatically collected when you visit our website. Some of this data is collected to ensure that our website functions without errors. Other data may be used for analysis purposes. However, you can use our website without a need to provide personal information.

## Technologies on our website

### Cookies and Local Storage

We use cookies to make our website as user-friendly and functional as possible for you. Some of these cookies are stored on the device you use to access the site.

Cookies are small packages of data that are exchanged between your browser and our web server whenever you visit our website. They do not cause any damage and are used solely to recognise website visitors. Cookies can only store information provided by your browser, e.g. information that you have entered into your browser or that is available on the website. Cookies cannot execute code and cannot be used to access your terminal device.

The next time you access our website using the same device, the information stored in the cookies can then either be sent back to us ("first-party cookie") or to a web application of third party to whom the cookie belongs ("third-party cookie"). The information that is stored and sent back allows each web application to recognise that you have already accessed and visited the website using the browser on your device.

Cookies contain the following information:

- Cookie name
- Name of the server from which the cookie originates
- Cookie ID number
- An expiry date, after which the cookie will be automatically deleted

We classify cookies in the following categories depending on their purpose and function:

- Technically necessary cookies, to ensure the technical operation and basic functions of our website. These types of cookies are used, for example, to maintain your settings while you navigate our website; or they can ensure that important information is retained throughout the session (e.g. login, shopping cart).
- Statistics cookies, to understand how visitors interact with our website by collecting and analysing information on an anonymous basis only. In this way we gain valuable insights to optimize both the website and our products and services.
- Marketing cookies, to provide targeted promotional and marketing activities for users on our website.
- Unclassified cookies are cookies that we are trying to classify together with individual cookie providers.

Depending on the storage period, we also divide cookies into session and persistent cookies. Session cookies store information that is used during your current browser session. These cookies are automatically deleted when the browser is closed. No information remains on your device. Persistent cookies store information between two visits to the website. Based on this information, you will be recognized as a returning visitor on your next visit and the website will react accordingly. The lifespan of a persistent cookie is determined by the provider of the cookie.

The legal basis for using technically necessary cookies is our legitimate interest in the technically fault-free operation and smooth functionality of our website as described in Art. 6 paragraph 1 lit. f of the GDPR. The use of statistics and marketing cookies is subject to your consent, in accordance with Art. 6 paragraph 1 lit. a of the GDPR. You can withdraw your consent for the future use of cookies at any time in accordance with Art. 7 paragraph 3 of the GDPR. Your consent is voluntary. If consent is not given, no disadvantages arise. For more information about the cookies we actually use (specifically, their purpose and lifespan), refer to this Privacy Policy and to the information in our cookie banner about the cookies we use.

You can also set your web browser so that it does not store any cookies in general on your device or so that you will be asked each time you visit the site whether you accept the use of cookies. Cookies that have already been stored can be deleted at any time. Refer to the Help section of your browser to learn how to do this.

Please note that a general deactivation of cookies may lead to functional restrictions on our website.

On our website, we also use so-called local storage functions (also called "local data"). This means that data is stored locally in the cache of your browser, which continues to exist and can be read even after you close the browser - as long as you do not delete the cache or data is stored within the session storage.

Third parties cannot access the data stored in the local storage. If special plug-ins or tools use the local storage functions, you are informed within the description of the respective plug-in or tool.

If you do not wish plug-ins or tools to use local storage functions, you can control this in the settings of your respective browser. We would like to point out that this may result in functional restrictions.

## **Data transfer to the US / Discontinuation of the Privacy Shield**

We would like to expressly point out that as of July 16, 2020, due to a legal dispute between a private individual and the Irish supervisory authority, the so-called "Privacy-Shield", an adequacy decision of the EU Commission according to Art 45 GDPR, which confirmed an adequate level of data protection for the US under certain circumstances, is no longer valid with immediate effect.

**The Privacy Shield therefore no longer constitutes a valid legal basis for the transfer of personal data to the United States!**

If a transfer of data by us to the US takes place at all or if a service provider based in the US is used by us, we refer to this explicitly in this Privacy Policy (see in particular the description of the technologies used on our website).

**What can the transfer of personal data to the US mean for you as a user and what risks are involved?**

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Risks for you as a user are at any rate the powers of the US secret services and the legal situation in the US, which, in the opinion of the European Court of Justice, no longer ensure an adequate level of data protection. Among other things, this concerns the following points:

- Section 702 of the Foreign Intelligence Surveillance Act (FISA) does not provide for any restrictions on the surveillance measures of the secret services or guarantees for non-US citizens.
- Presidential Policy Directive 28 (PPD-28) does not provide effective remedies for those affected against actions by U.S. authorities and does not provide barriers to ensuring proportionate measures.
- The ombudsman provided for in the Privacy Shield does not have sufficient independence from the executive; he cannot issue binding orders to the U.S. secret services.
- • Legally compliant transfer of data to the US on the basis of standard contractual clauses?

The standard contractual clauses adopted by the Commission in 2010 (2010/87/EU of 05.02.2010), Art. 46 paragraph 2 lit. c DGDPR, are still valid, but a level of protection for personal data must be ensured which is equivalent to the level in the European Union. Therefore, not only the contractual relationships with our service providers are relevant, but also the possibility of access to the data by U.S. authorities and the legal system of the U.S. (legislation and jurisdiction, administrative practice of authorities).

The standard contractual clauses cannot bind authorities in the US and therefore do not yet provide adequate protection in cases in which the authorities are authorized under the law in the US to intervene in the rights of the data subjects without additional measures by us and our service provider.

#### **Legally compliant transfer of data to the US on the basis of your consent?**

It is currently controversial whether informed consent and thus a deliberate and knowingly restriction of parts of your basic right to data protection is legally possible at all.

#### **What measures do we take to ensure that a data transfer to the US complies with the law?**

Insofar as US providers offer the option, we choose to process data on EU servers. This should technically ensure that the data is located within the European Union and cannot be accessed by US authorities.

Furthermore, we carefully examine European alternatives to US tools used. However, this is a process that does not happen overnight, as it also involves technical and economic consequences for us. Only if the use of European tools and / or the immediate switch off of the US tools is impossible for us for technical and / or economic reasons, US service providers are currently still used.

#### **For the further use of US tools we take the following measures:**

As far as possible and not provided for by law anyway (for example FATCA), your consent will be asked for before using a US tool and you will be informed in advance in a transparent manner about the functioning of a service. The risks involved in transferring data to the USA can be found in this section.

We make every effort to conclude standard contract clauses with US service providers and to demand additional guarantees. In particular, we require the use of technologies that do not allow access to data, e.g. the use of encryption that cannot be broken even by US services or anonymization or pseudonymization of data, where only the service provider can make the assignment to a person. At the same time, we require additional information from the service provider if data is actually accessed by third parties or the service provider exhausts all legal remedies until access to data is granted at all.

## **Friendly Captcha**

Friendly Captcha

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Purpose: Technically required  
Recipient country: EU  
Legal basis: legitimate interest

On our website, to protect against abuse by non-human visitors (bots) and to prevent spam, the Friendly Captcha service is used by the provider Friendly Captcha GmbH, Am Anger 3-5, 82237 Wörthsee, Germany ("FriendlyCaptcha).

Friendly Captcha is intended to verify whether data entry on our website is done by a human or by an automated program.

Friendly Captcha does not let the visitor solve manual picture puzzles, but generates a cryptographic task, which is solved by your browser completely automatically in the background. Based on the technical information collected, the difficulty can be adjusted to make it more difficult for potential bots to proceed.

According to our information, the following data is processed by Friendly Captcha for the automated processing of a task:

- the anonymized IP address of the requesting end device
- information about the browser and operating system used
- an anonymized counter per IP address to control cryptographic tasks
- the referer URL information about the cryptographic task itself
- the version of the Friendly Captcha service a timestamp

An anonymized counter per IP address is stored for setting task difficulty to detect malicious users and minimize blocking of legitimate users. This data is stored separately from other data and cannot be associated with specific websites or users. IP addresses are anonymized through a state-of-the-art hashing process so that you, as a user of the website, cannot be personally identified. No cookies of any kind are used by Friendly Captcha.

The legal basis for the processing of your data using Friendly Captcha is our legitimate interest pursuant to Art 6 paragraph 1 lit f GDPR in protecting against misuse of our website.

For more information about Friendly Captcha, please click here:

<https://friendlycaptcha.com/de/>

For extended information on Friendly Captcha's data protection, please see the following link: <https://friendlycaptcha.com/de/legal/privacy-end-users/>

## Google Analytics

Purpose: Statistics  
Recipient country: USA

We use the functions of the web analytics service Google Analytics on our website to analyse user behaviour and to optimise our website. The provider of this service is Google Ireland Limited, Barrow Street, Dublin 4, Ireland ("Google").

**ATTENTION: Within the scope of this service, data transfer to the US takes place or cannot be ruled out. We would like to point out that, according to the European Court of Justice, there is currently no adequate level of data protection in the case of data transfer to the US and that there are therefore various risks (such as possible access by US secret services).**

Google Analytics uses cookies that enable an analysis of the use of our website.

In general, information about your use of the website is transferred to a Google server and stored there, such as the type and version of browser you used, the operating system you used, the site you visited prior to accessing our site, the host name of the computer (IP address) you used to access the site, and the time of your server request. For this purpose, we have entered into a contract with Google for contractual processing of your data.

At our request, Google will use this information to analyse the use of our website, to create reports on the activities within our website and to render additional services related to the use of our website and of the internet. According to Google, the IP address submitted by your browser will not be added to other data held by Google.

We use Google Analytics only with IP anonymisation activated, which means we have expanded this website to include the code 'anonymizeIP'. This ensures that your IP address is masked, so that all data is collected anonymously. Only under exceptional circumstances will a full IP address be transmitted to a Google server and truncated there.

During the website visit, the following data is collected:

- the pages you call up, your "click path"
- Achievement of "website goals" (conversions, e.g. newsletter registrations, downloads, purchases)
- Your user behavior (for example clicks, duration of stay, bounce rates)
- Your approximate location (region)
- Your IP address (in shortened form)
- technical information about your browser and the end devices you use (e.g. language settings, screen resolution)
- Your internet provider
- the referrer URL (via which website / via which advertising medium you came to our website)

The data about the use of our website is immediately deleted after expiration of the storage limits that we have set. Google Analytics gives us the following options for the storage limits: 14 months, 26 months, 38 months, 50 months or no automatic deletion. You can ask us any time for the current storage limit that we have set.

The processing of your data using Google Analytics is subject to your explicit consent in the sense of Art 6 paragraph 1 lit. a of the GDPR. You can revoke your consent at any time with effect for the future.

You can also block the collection of data by downloading and installing the browser plugin available through the link below: <http://tools.google.com/dlpage/gaoptout>

You can find out exactly where Google data centres are located here: <https://www.google.com/about/datacenters/inside/locations/>

For more information about how Google uses your data, and about options for settings and withdrawal of consent, refer to the Google Privacy Policy at <https://policies.google.com/privacy>

The data processing terms and conditions for Google products and the standard contractual clauses for data transfers to third countries can be found at <https://business.safety.google/adsprocessor/terms/>

## Google Tag Manager

We use the service Google Tag Manager on our website. This service is provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google").

**ATTENTION: Within the scope of this service, data is transferred to the US or such transfer cannot be ruled out. We would like to point out that, in the opinion of the European Court of Justice, there is currently no adequate level of data protection in the case of data transfer to the USA and that there are therefore various risks (such as possible access by US secret services).**

When the Tag Manager is started, your browser establishes a connection to Google's servers, which are mainly situated in the US. This informs Google that our website has been accessed via your IP address. You can find out exactly where Google data centers are located here: <https://www.google.com/about/datacenters/inside/locations/>

Google Tag Manager is used to manage website tags via an interface. This enables us to embed code snippets such as tracking codes or conversion pixels into our website without interfering with the source code. In this process, Tag Manager data is only transferred, it is neither collected nor stored. The Tag Manager itself is a cookie-less domain and does not process any personal data, because it is used solely to manage other services used on our website based on our legitimate interest according to Art 6 paragraph 1 lit f GDPR. The Tag Manager triggers other tags which in turn collect data under specific circumstances. However, the Tag Manager has no access to this data. If you have chosen to deactivate cookies on our site in general or to deactivate specific cookies, this will remain in effect for all tracking tags that are implemented using the Tag Manager.

To prevent this service, you can install a JavaScript blocker. However, this may result in the website no longer functioning as usual.

For more information about data protection, refer to the following Google websites:

Privacy Policy: <https://policies.google.com/privacy>

FAQ Google Tag Manager: <https://www.google.com/intl/de/tagmanager/faq.html>

Use Policy Google Tag Manager: <https://marketingplatform.google.com/intl/de/about/analytics/tag-manager/use-policy/>

Google Ads Data Processing Terms including standard contractual clauses for third country transfers: <https://business.safety.google/adsprocesstertms/>

## Hosting

In the process of hosting our website, we store all data related to the operation of our website. This is necessary for enabling operation of our website. Therefore, we process this data on the legal grounds of our legitimate interest in optimising our website as described under Art. 6 paragraph 1 lit. f of the GDPR. To provide access to our website, we use the services of web hosting providers, to whom we supply the aforementioned data within the context of contractual processing in accordance with art. 28 of the GDPR.

## Contact

Whenever you contact us, your information is used to process and handle your contact request in the course of fulfilling pre-contractual rights and obligations in accordance with Art. 6 paragraph 1 lit. b of the GDPR. To handle and answer your request it is necessary for us to process your data; otherwise we are unable to answer your request or only able to partially answer it. Your information can be stored in a database of customers and leads on the grounds of our legitimate interest in direct marketing as described in Art. 6 paragraph 1 lit. f of the GDPR.

We delete your request and contact information when your request has been definitively answered and there is no legally required time limit for storing this data prior to deletion (e.g. pursuant to a subsequent contractual relationship). This is usually the case when there is no further contact with you for three years in a row.

## Server Log Files

For technical reasons, particularly to ensure a functioning and secure website, we process the technically necessary data about accesses to our website in so-called server log files which your browser automatically sends to us.

The access data we process includes:

- The name of the website you are accessing
- The browser type (including version) you use
- The operating system you use
- The site you visited before accessing our site (referrer URL)
- The time of your server request
- The amount of data transferred
- The host name of computer (IP address) you are using to access the site

This data cannot be traced back to any natural person and is used solely to perform statistical analyses and to operate and improve our website while also optimising our site and keeping it secure. This data is sent exclusively to our website operator. The data is neither connected nor aggregated with other data sources. In case of suspicion of unlawful use of our website, we reserve the right to examine the data retroactively. This data processing takes place on the legal grounds of our legitimate interest in maintaining a technically fault-free and optimal website, as described under Art. 6 paragraph 1 lit. f of the GDPR.

The access data is deleted within a short period of time after serving its purpose (usually within a few days) unless further storage is required for evidence purposes. In such cases, the data is stored until the incident is definitively resolved.

## Stripe

On our website, we use the payment service provider Stripe to process payments. The provider of this service is Stripe Inc, 510 Townsend Street San Francisco, California 94103. The European representative of this service provider is Stripe Payments Europe Ltd, North Wall Quay Dublin 1, Dublin, Ireland.

**ATTENTION: Within the scope of this service, data transfer to the US takes place or cannot be ruled out. We would like to point out that, according to the European Court of Justice, there is currently no adequate level of data protection in the case of data transfer to the US and that there are therefore various risks (such as possible access by US secret services).**

In the course of a payment transaction, we send the service provider the information you have provided regarding your ID data (such as name, address), your order and the data required to process the payment, such as bank data, possibly credit card number, invoice amount, currency, etc. The processing of this data is based on our obligation to fulfil the contract in accordance with Art 6 paragraph 1 lit. b GDPR or due to our legitimate interest in the proper execution of payments in accordance with Art 6 paragraph 1 lit. f GDPR. The transfer of data takes place exclusively for the purpose of payment processing and only insofar as this is necessary for this purpose.

We do not have direct access to the payment data entered by you, but we do receive information from the service provider as to whether payments could be properly processed. In the course of payment processing, the service provider may forward your data to a credit agency to check your creditworthiness. In this regard, we refer to the General Terms and Conditions and the privacy policy on the part of Stripe.

Further information on data protection via this service can be found at <https://stripe.com/privacy>

## WebCare

In order to obtain consent for the use of cookies on our website in accordance with data protection regulations, we use the Consent Banner of DataReporter WebCare. This is a service provided by DataReporter GmbH, Zeileisstraße

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6, 4600 Wels, Austria ("DataReporter"). More information about this company can be found at [www.datareporter.eu](http://www.datareporter.eu). The Consent Banner records and stores the consent to cookie use for the respective user of our website. Our Consent Banner ensures that statistical and marketing cookies are only set when the user has given his express consent to their use.

We store information on the extent to which the user has confirmed the use of cookies. The user's decision can be revoked at any time by calling up the setting for cookies and managing the declaration of consent. Existing cookies will be deleted after revocation of the consent. A cookie is also set to store information on the status of the user's consent, which is indicated in the cookie details. Furthermore, the IP address of the respective user is transmitted to DataReporter's server for calling this service. The IP address is neither stored nor associated with any other data of the user, it is only used for the correct execution of the service. The use of the above data is therefore based on our legitimate interest in the legally compliant design of our website in accordance with Art. 6 paragraph 1 lit. f GDPR.

Further information can be found in the DataReporter data protection declaration at <https://www.datareporter.eu/de/privacystatement.html> Please feel free to send your enquiries about this service to [office@datareporter.eu](mailto:office@datareporter.eu).

## Webshop with customer account

We process data of our customers in particular their master data, communication data, payment data, contract data in the context of the execution of order processes in our web shop. This is done for the purpose of selecting and ordering the selected products and / or services, as well as their payment and delivery or execution.

The purpose of the processing is the provision of contractual services within the framework of the operation of our web shop, the billing of deliveries and services, the delivery of products and the performance of services.

The processing is carried out for the purpose of fulfilling the contract on the basis of Art. 6 paragraph 1 lit. b GDPR for the processing of orders and furthermore according to Art. 6 paragraph 1 lit. c GDPR for the fulfilment of legal storage obligations based on trade and tax regulations. The mandatory data for the fulfilment of the contract are specially marked as such when they are entered in our shop system or we will inform you of them personally. We transmit the data to third parties only for the provision of our services (e.g. to involved transport or other auxiliary services such as subcontractors or telecommunications services), for the processing of payment transactions (e.g. to banks, payment service providers, tax authorities or consultants) or within the scope of our legal rights and obligations, as well as within the scope of our legitimate interest in the appropriate legal prosecution in accordance with Art. 6 paragraph 1 lit. f GDPR vis-à-vis legal advisors, courts and authorities in the event of an incident. The data will only be processed in third countries if this is absolutely necessary for the fulfilment of the contract (e.g. at the customer's request on delivery or payment) and insofar as appropriate data protection guarantees are available. Any other transfer of data to third parties will only take place with your express consent in accordance with Art. 6 paragraph 1 lit a GDPR.

Users can create a user account, e.g. by viewing their orders. User accounts are not visible to the public. If users have terminated their user account, their data will be deleted with regard to the user account unless their retention is absolutely necessary for commercial or tax reasons in accordance with Art. 6 paragraph 1 lit. c GDPR or is necessary due to our legitimate interest in enforcing the law in accordance with Art. 6 paragraph 1 lit. f GDPR. It is the responsibility of the users to secure their data before the end of the contract in the event of termination.

Within the scope of registration and in the case of renewed registration and use of our online services, we store the IP address and the time of the respective user action. The storage takes place on the basis of our legitimate interests pursuant to Art. 6 paragraph 1 lit. f GDPR, as well as in the legitimate interest of the users themselves for protection against misuse and against other unauthorized use. This data is not passed on to third parties unless it is necessary to pursue our claims or there is a legal obligation to do so pursuant to Art. 6 paragraph 1 lit. c GDPR.



The data will be deleted after expiry of statutory warranty and compensation obligations or other contractual or statutory obligations. The deletion of the data takes place after the expiry of legal warranty and compensation obligations or other contractual or legal obligations. Our customers and contractual partners are informed separately in this data protection declaration about further processing of data within the scope of marketing activities.

## General information on data protection

The following provisions in its principles apply not only to the data collection on our website, but also in general to other processing of personal data.

### Personal data

Personal data is information that can be assigned to you individually. Examples include your address, your name as well as your postal address, email address or telephone number. Information such as the number of users who visit a website is not personal data because it is not assigned to a person.

### Legal basis for the processing of personal data

Unless more specific information is provided in this Privacy Policy (e.g. in the case of the technologies used), we may process personal data from you on the basis of the following legal principles:

- **consent in accordance with Art. 6 paragraph 1 lit. a of the GDPR** - The data subject has given his or her consent to the processing of his or her personal data for one or more specific purposes.
- **Fulfillment of a contract and pre-contractual measures pursuant to Art. 6 paragraph 1 lit. b of the GDPR** - Processing is necessary for the fulfillment of a contract to which the data subject is a party or for the implementation of pre-contractual measures.
- **Legal obligation pursuant to Art. 6 paragraph 1 lit. c of the GDPR** - Processing is necessary for the performance of a legal obligation.
- **Protection of vital interests pursuant to Art. 6 paragraph 1 lit. d of the GDPR** - Processing is necessary to protect the vital interests of the data subject or of another natural person.
- **Reasonable interests pursuant to Art. 6 paragraph 1 lit. f of the GDPR** - The processing is necessary to protect the legitimate interests of the controller or of a third party unless the interests or fundamental rights and freedoms of the data subject prevail.

Please note that in addition to the provisions of the GDPR, national data protection regulations may apply in your or our home country.

### Transfer of personal data

Your personal data will not be transferred to third parties for purposes other than those listed in this Privacy Policy.

We will only transfer your personal data to third parties if:

- you have given your express **consent** in accordance with **Art. 6 paragraph 1 lit. a of the GDPR**,
- the transfer pursuant to **Art. 6 paragraph 1 lit. f of the GDPR** is necessary to safeguard **reasonable interests**, as well as to assert, exercise or defend legal claims and there is no reason to assume that you have a prevailing interest worthy of protection by not disclosing your data,
- there is a **legal obligation** to transfer the data in accordance with **Art. 6 paragraph 1 lit. c of the GDPR**, as well as this is legally permissible and / or
- it is required according to **Art. 6 paragraph 1 lit. b of the GDPR** for the **processing of contractual relationships** with you.

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## Cooperation with processors

We carefully select our service providers who process personal data on our behalf. If we commission third parties to process personal data on the basis of a data processing agreement, this is done in accordance with **Art. 28 of the GDPR**.

## Transfer to third countries

If we process data to a third country or if this is done in the context of using the services of third parties or disclosure or transfer of data to other persons or companies, this is only done on the legal basis described above for the transfer of data.

Subject to express consent or contractual necessity, we process or allow data to be processed only in third countries in accordance with **Art. 44 - 49 of the GDPR** with a recognized level of data protection or on the basis of special guarantees, such as contractual obligations through so-called standard contractual clauses of the EU Commission, the existence of certifications or binding corporate rules.

## Data transfer to the US / Discontinuation of the Privacy Shield

We would like to expressly point out that as of July 16, 2020, due to a legal dispute between a private individual and the Irish supervisory authority, the so-called "Privacy-Shield", an adequacy decision of the EU Commission according to Art 45 GDPR, which confirmed an adequate level of data protection for the US under certain circumstances, is no longer valid with immediate effect.

**The Privacy Shield therefore no longer constitutes a valid legal basis for the transfer of personal data to the United States!**

If a transfer of data by us to the US takes place at all or if a service provider based in the US is used by us, we refer to this explicitly in this Privacy Policy (see in particular the description of the technologies used on our website).

### What can the transfer of personal data to the US mean for you as a user and what risks are involved?

Risks for you as a user are at any rate the powers of the US secret services and the legal situation in the US, which, in the opinion of the European Court of Justice, no longer ensure an adequate level of data protection. Among other things, this concerns the following points:

- Section 702 of the Foreign Intelligence Surveillance Act (FISA) does not provide for any restrictions on the surveillance measures of the secret services or guarantees for non-US citizens.
- Presidential Policy Directive 28 (PPD-28) does not provide effective remedies for those affected against actions by U.S. authorities and does not provide barriers to ensuring proportionate measures.
- The ombudsman provided for in the Privacy Shield does not have sufficient independence from the executive; he cannot issue binding orders to the U.S. secret services.

### Legally compliant transfer of data to the US on the basis of standard contractual clauses?

The standard contractual clauses adopted by the Commission in 2010 (2010/87/EU of 05.02.2010), Art. 46 paragraph 2 lit. c GDPR, are still valid, but a level of protection for personal data must be ensured which is equivalent to the level in the European Union. Therefore, not only the contractual relationships with our service providers are relevant, but also the possibility of access to the data by U.S. authorities and the legal system of the U.S. (legislation and jurisdiction, administrative practice of authorities).

The standard contractual clauses cannot bind authorities in the US and therefore do not yet provide adequate protection in cases in which the authorities are authorized under the law in the US to intervene in the rights of the data subjects without additional measures by us and our service provider.

### **Legally compliant transfer of data to the US on the basis of your consent?**

It is currently controversial whether informed consent and thus a deliberate and knowingly restriction of parts of your basic right to data protection is legally possible at all.

### **What measures do we take to ensure that a data transfer to the US complies with the law?**

Insofar as US providers offer the option, we choose to process data on EU servers. This should technically ensure that the data is located within the European Union and cannot be accessed by US authorities.

Furthermore, we carefully examine European alternatives to US tools used. However, this is a process that does not happen overnight, as it also involves technical and economic consequences for us. Only if the use of European tools and / or the immediate switch off of the US tools is impossible for us for technical and / or economic reasons, US service providers are currently still used.

### **For the further use of US tools we take the following measures:**

As far as possible, your consent will be asked for before using a US tool and you will be informed in advance in a transparent manner about the functioning of a service. The risks involved in transferring data to the USA can be found in this section.

We make every effort to conclude standard contract clauses with US service providers and to demand additional guarantees. In particular, we require the use of technologies that do not allow access to data, e.g. the use of encryption that cannot be broken even by US services or anonymization or pseudonymization of data, where only the service provider can make the assignment to a person. At the same time, we require additional information from the service provider if data is actually accessed by third parties or the service provider exhausts all legal remedies until access to data is granted at all.

## **Storage periods in general**

If no explicit storage period is specified during the collection of data (e.g. in the context of a declaration of consent), we are obliged to delete personal data in accordance with **Art. 5 paragraph 1 lit. e of the GDPR** as soon as the purpose for processing has been fulfilled. In this context, we would like to point out that legal storage obligations represent a legitimate purpose for the further processing of affected personal data.

Personal data will be stored and retained by us in principle until the termination of a business relationship or until the expiry of any applicable guarantee, warranty or limitation periods, in addition, until the end of any legal disputes in which the data is required as evidence, or in any event until the expiry of the third year following the last contact with a business partner.

## **Storage periods in particular**

As part of the description of individual technologies on our website, there are specific references to the storage period of data. In our cookie table, you will be informed about the storage period of individual cookies. In addition, you always have the possibility to ask us directly about the specific storage period of data. To do so, please use the contact data listed in this Privacy Policy.

## **Rights of data subjects**

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Data subject have the right:

- (i) **in accordance with Art. 15 of the GDPR, to request information** about your personal data processed by us. In particular, you may request information on the purposes of processing, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned duration of storage, the existence of a right of rectification, deletion, restriction of processing or opposition, the existence of a right of appeal, the origin of your data, if not collected by us, as well as the existence of automated decision making including profiling and, where applicable, meaningful information on the details thereof;
- (ii) **in accordance with Art. 16 of the GDPR, to demand without delay the correction** of incorrect or incomplete personal data stored by us;
- (iii) **in accordance with Art. 17 of the GDPR, under specific circumstances** to demand the **deletion** of your personal data stored with us, unless the processing is necessary to exercise the right to freedom of expression and information, to fulfill a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims;
- (iv) **in accordance with Art. 18 of the GDPR, to demand the (temporary) restriction of the processing** of your personal data, insofar as the accuracy of the data is disputed by you, the processing is unlawful, but you refuse to delete it and we no longer require the data, but you require it for the assertion, exercise or defense of legal claims or you have lodged an objection to the processing in accordance with Art. 21 of the GDPR;
- (v) **in accordance with Art. 20 of the GDPR, to receive your personal data** that you have provided to us in a structured, common and machine-readable format or to request that it be transferred to another controller; However, this only covers those of your personal data that we process with the help of automated processes after your consent or on the basis of a contract with you;
- (vi) **in accordance with Art. 21 of the GDPR, if your personal data are processed on the basis of our legitimate interest, to object** to the processing of your personal data for reasons arising from your specific situation or if the objection is directed against direct advertising. In the latter case, you have a general right of objection, which we will implement without indicating a specific situation.
- (vii) **in accordance with Art. 7 paragraph 3 of the GDPR, you may at any time revoke your consent** to us. As a result, we may no longer continue the data processing based on this consent in the future. Among other things, you have the option of revoking your consent to the use of cookies on our website with effect for the future by calling up our [Cookie Settings](#).
- (viii) **in accordance with Art. 77 of the GDPR to complain** to a data protection authority regarding the illegal processing of your data by us. As a rule, you can contact the data protection authority at your usual place of residence or workplace or at the headquarters of our company.

The responsible data protection authority for W&H Dentalwerk is:

**Österreichische Datenschutzbehörde**  
Barichgasse 40-42, 1030 Wien, Österreich  
Tel.: +43 1 52 152-0, dsb@dsb.gv.at

## Assertion of rights of data subjects

You yourself decide on the use of your personal data. Should you therefore wish to exercise one of your above-mentioned rights towards us, you are welcome to contact us by email at [dataprotection@wh.com](mailto:dataprotection@wh.com) or by post, as well as by telephone.

Please assist us in specifying your request by answering questions from our responsible employees regarding the specific processing of your personal data. If there are reasonable doubts about your identity, we may request a copy of your identification.

For questions regarding data protection, you can reach us at [dataprotection@wh.com](mailto:dataprotection@wh.com) or at the other contact details stated in this Privacy Policy.

Bürmoos , on 15. June 2023

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## About cookies

Cookies are small data packages that are exchanged between your browser and our web server. Cookies can only store information provided by your browser.

Depending on the intended use, cookies are either technically necessary or are used for statistical or marketing purposes. The use of technically required cookies is based on our legitimate interest in the technically correct operation and smooth functionality of our website. The use of statistics and marketing cookies requires your consent. This is voluntary and can be revoked at any time for the future by calling up our cookie settings.

You can also set your browser to generally prevent the storage of cookies. Once cookies have been set, you can delete them at any time. How all this works in details can be found in the help function of your browser. Please note that a general deactivation of cookies may lead to functional restrictions on our website.

You can find more detailed information on what data is stored in cookies, for what purposes they are used and for how long data is stored in our data protection declaration and in our cookie banner.

## Required

Technically necessary cookies are used to enable the technical operation of a website and make it functional for you. The use is based on our legitimate interest to provide a technically flawless website. However, you can generally disable the use of cookies in your browser. <br />

Surname	Purpose	Creator	Storage time	Domain
__stripe_mid	serves for the temporary storage of the basket of goods for the orders in the context of a Webshop.	Stripe	12 months	d3ewaapykee511.cloudfront.net
__stripe_sid	serves for the temporary storage of the basket of goods for the orders in the context of a Webshop.	Stripe	30 minutes	d3ewaapykee511.cloudfront.net
_webcare_consentid	contains the information to what extent the user has confirmed the use of cookies.	DataReporter GmbH	12 months	d3ewaapykee511.cloudfront.net
cookieconsent_mode	contains the information to what extent the user has confirmed the use of cookies.	DataReporter GmbH	12 months	d3ewaapykee511.cloudfront.net
cookieconsent_status	contains the information to what extent the user has confirmed the use of cookies.	DataReporter GmbH	12 months	d3ewaapykee511.cloudfront.net
language	save settings and preferences of the user such as the current language setting.		Session	d3ewaapykee511.cloudfront.net
m	serves for the temporary storage of the basket of goods for the orders in the context of a Webshop.	Stripe	1 year	m.stripe.com

## Statistics

Statistics cookies collect information about how websites are used to improve their attractiveness, content and functionality. A use takes place only with your consent and only as long as you have not deactivated the respective cookie.

Surname	Purpose	Creator	Storage time	Domain
<b>_ga</b>	Contains information to help distinguish users from the page. Gathers data about user visits, such as which pages are relevant.	Google	1 year	d3ewaapykee511.cloudfront.net
<b>_ga_(GA4-ID)</b>	Contains information to help distinguish users from the page. Gathers data about user visits, such as which pages are relevant.	Google	1 year	d3ewaapykee511.cloudfront.net
<b>_gat_XXXX</b>	Contains information to help distinguish users from the page. Gathers data about user visits, such as which pages are relevant.	Google	1 minute	d3ewaapykee511.cloudfront.net
<b>_gid</b>	Contains information to help distinguish users from the page. Gathers data about user visits, such as which pages are relevant.	Google	1 day	d3ewaapykee511.cloudfront.net

## Marketing

Marketing cookies come from external advertising companies and are used to collect information about the websites visited by the user. A use takes place only with your consent and only as long as you have not deactivated the respective cookie.

Surname	Purpose	Creator	Storage time	Domain
<b>_gcl_au</b>	registers a unique ID that identifies and recognizes the user. Used for targeted advertising.	Google	3 months	d3ewaapykee511.cloudfront.net
<b>NID</b>	registers a unique ID that identifies and recognizes the user. Used for targeted advertising.	Google		www.google.com