

# Information on data protection in compliance with EU General Data Protection Regulation for natural persons and legal entities

With the following information we would like to provide a summary about the processing of your personal as well as your enterprise related data by us and also about your rights resulting from data protection law. It mainly depends on the products or the services agreed on which data are being processed and in which way they are being used. The following information on data protection is in particular relevant to customers, prospective customers, and authorized representatives.

## 1. Who is responsible for data processing and whom may I contact?

Entity responsible:  
DYNAMIC Systems GmbH  
Inninger Straße 11, 82237 Woerthsee

represented by Managing Director Dr Harald Lossau  
phone: +49 8153 90 96-0  
email: [info@dynamic-systems.de](mailto:info@dynamic-systems.de)

You may also contact our data protection officer Stephan Krischke, email: [datenschutz@dynamic-systems.de](mailto:datenschutz@dynamic-systems.de)

## 2. Which data and which sources are used by us?

We process information which we receive within business relationships from our customers. In addition, we process personal information which we legitimately obtain from publicly accessible sources (trade register, register of associations, press, internet) or which is transferred to us legitimately from other companies or third parties. When dealing with prospective customers, during the registration of master data, or when processing a purchase order particular data (such as surname, address, email, and telephone number), shipment and payment details (e. g. bank account), and order data (information on PO, system data, software, print data, etc.) can be relevant personal data. Moreover, they can also be information required to fulfil contractual obligations, promotional information, sales data, as well as other data which are comparable with aforementioned categories.

## 3. For which purposes do we use your information and on which legal basis?

We process personal as well as enterprise related data in accordance with the directives of the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Law (Bundesdatenschutzgesetz, BDSG):

a) In order to fulfil contractual obligations (art. 6 paragraph 1 letter b GDPR): The processing of data is effected in connection with the completion of commercial transactions or with the provision of services within the fulfilment of our contracts with our customers and within pre-contractual measures taken upon request (e. g. by prospective customers). The purpose of the processing of data mainly depends on the specific product (hard- and software when it comes to printing) and can comprise e. g. demand analysis, services, consulting, as well as the fulfilment of contractual obligations. Further details regarding data processing purposes can be obtained from relevant contractual documentation and our terms and conditions.

b) Legitimate pursuit of interests (art. 6 paragraph 1 letter f GDPR): If necessary we process your data beyond the actual fulfilment of our contractual obligations in order to safeguard our

legitimate interests or those of third parties. Examples: invitations to trade fairs, safety instructions for products, and in order to promote customer loyalty by providing information on product improvements or products news.

c) Based on your consent (art. 6 paragraph 1 letter a GDPR): If you have given us your consent to process personal information for certain purposes the legitimacy of this processing is given based on your consent. Your consent can be withdrawn at any time. This also holds true with respect to consent given to us before GDPR came into effect (i. e., before 25<sup>th</sup> May 2018). The withdrawal of your consent does not affect legitimacy of the processing of your data before aforementioned withdrawal.

d) Based on legal guidelines (art. 6 paragraph 1 letter c GDPR) or on public interest (art. 6 paragraph 1 letter e GDPR): As a company we also have to fulfil legal obligations, i. e., we are bound to legal requirements as well as fiscal laws. Among the purposes to process data are e. g. identity checks, prevention of fraud and money laundering, or fulfilment of fiscal obligations.

#### **4. Who will receive my data?**

Within our company only those departments and employees have access to your data who require them in order to be able to fulfil our contractual and legal obligations. Moreover, service providers and agents who work for DYNAMIC Systems may receive data for aforementioned purposes – provided they treat them as confidential and in accordance with relevant guidelines. As far as transfer of data to external recipients is concerned it has to be stated that – above all - we as a company commit ourselves to confidentiality regarding customer-related facts and evaluations about which we gain knowledge. We will not share your data unless required by legal guidelines, we received your consent, or we are bound by law to do so.

#### **5. Will data be transferred to third countries or to international organizations?**

Data transfer to recipients outside the European Economic Area (so-called third countries) will take place if

- it is necessary to fulfil an order.
- it is required by law or
- you have given us your consent.

Beyond that we do not transfer personal data to parties in third countries or to international organizations.

#### **6. For how long will my data be saved?**

We process and save your personal information as long as it is required in order to fulfil our contractual and legal obligations. It has to be taken into account that our mutual business relationship is a continuing obligation and possibly of a long-term nature. If the data are no longer required in order to fulfil contractual or legal obligations they will be deleted on a regular basis. An exemption is the – temporary – processing for the following purposes:

- Compliance with commercial and fiscal retention periods: Reference has to be made to the German Commercial Code (Handelsgesetzbuch, HGB), the German Fiscal Code (Abgabenordnung, AO), and the Anti Money Laundering Act (Geldwäschegesetz, GwG). Retention periods indicated in aforementioned statutes are two to ten years.

- Preservation of evidence in the context of legal retention period guidelines. According to §§ 195 ff. of the German Civil Code (Bürgerliches Gesetzbuch, BGB) retention periods can be up to 30 years although retention period usually is 3 years.
- In order to fulfil retention obligations in accordance with certain standards or with customers' requirements, in particular with quality assurance agreements.

## **7. Which data protection rights do I have?**

Each person affected has the right to access according to art. 15 GDPR, the right to rectification according to art. 16 GDPR, the right to erasure according to art. 17 GDPR, the right to restriction of processing according to art. 18 GDPR, the right to object according to art. 21 GDPR, as well as the right to data portability according to art. 20 GDPR. As far as the right to erasure and the right to access are concerned limitations according to §§ 34 and 35 GDPR are applicable. Beyond that there is the right to lodge a complaint with the competent supervisory data protection authority (art. 77 GDPR in connection with § 19 of the German Federal Data Protection Law). A given consent to the processing of person related data can be withdrawn by you from us at any time. This also holds true for the withdrawal of declarations of consent which had been provided to us before the legitimacy of the GDPR, i. e., before 25<sup>th</sup> May 2018. Please note that withdrawals are only valid for future processing, data processing which took place before the withdrawal is not affected by this regulation.

## **8. Do I have an obligation to provide data?**

Within our business relationship it is necessary that you provide those person related data which are essential for the start and the completion of our business relationship and also for the fulfilment of relevant contractual and legal obligations. Without having these data on hand we will basically not be able to conclude or fulfil the contract with you respectively.

## **9. To which extent are decisions made automatically?**

We strictly do not use automatic decision-making in order to establish or conduct a business relationship (in accordance with art. 22 GDPR).

## **10. Is there profiling?**

We partly process your data with the aim to assess certain personal aspects. We use assessment tools in order to be able to inform and advise you specifically. The use of these tools paves the way to provide communication and advertising tailored to your needs.